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CONFERENCE COMMITTEE REPORT DIGEST

SB 479

2026 Regular Session

Morris

Keyword and summary of the bill as proposed by the Conference Committee

JUDGES. Provides for legislative address to the governor for the removal of certain judges for malfeasance and gross misconduct committed while in office. (gov sig)

Report adopts House amendments to:

1. Changes chapter title from "legislative address" to "legislative impeachment."
2. Changes definition of gross misconduct to read from "grossly negligent" to "willful and persistent failure in the"
3. Deletes definitions of "incompetence", "legislative address", and "official" and provides an updated definition of malfeasance while in office and gross misconduct.
4. Provides a procedure for impeachment by a majority vote of the members of the House of Representatives. House may adopt rules of impeachment and act in accordance of those rules during a session on any resolution of impeachment filed in the House.
5. Provides a mechanism where the House may request a report from the Judicial Commission if the complaint is against a judge or may elect to propose the legislature issue a special legislative address for investigation pursuant to Section 1423.
6. Provides a mechanism where the House may request a report from Board of Ethics to ascertain whether the matter is already under investigation.
7. Provides that the Speaker of the House or Senate President may direct a pause in the proceedings pending the conclusion of disciplinary proceedings in another body. Upon written petition of 3/5 of the House and Senate the investigation may proceed.
8. Provides that upon 3/5 vote of the House and Senate, the speaker and president shall each appoint three members from each chamber to serve on a committee and shall jointly appoint one member to serve as chair.
9. Provides that an impeachment investigation request may be filed in writing on 3/5 of the House and Senate and is based on the sworn complaint filed by any citizen with the Clerk of the House alleging a violation warranting impeachment under Section 24 of Article X of the Constitution.
10. Provides for the requirements of the complaint.
11. Provides for the procedure of the committee in finding probable cause to continue with an investigation and the appointment of a special master or special subcommittee to gather and report facts.
12. Provides guidelines for the investigation by the committee and for any report by the subcommittee or special master to be provided to the chairman of the committee. Further provides for the procedure if the report and

recommendation do not support a finding of impeachment that the complaint shall be dismissed unless there is a 3/5 vote of the appointed members to proceed.

13. Provides guidelines for the committee in the event that the report and recommendations from the subcommittee or special master support a finding of a violation warranting impeachment.
14. Provides for the report by the Speaker upon a finding by the joint committee recommending impeachment.
15. Provides that no member may be recused from further considerations of the impeachment or a senate trial.
16. Provides that any material provided to the House or joint committee that is confidential shall remain confidential and shall not be disclosed to anyone.
17. Provides for a two year time period in which to file a complaint from the date of the alleged violation. A continuing violation does not prescribe. The period of limitations is tolled upon filing of the complaint.
18. Provides for the procedure to replace an impeachment manager unable to perform their duties appointed by the Speaker when the House is in recess or not in session.
19. Provides that the Senate shall determine the time for the trial and may sit for the trial whether the Legislature is in session or not.
20. Provides that the legislature may by concurrent resolution may refer to the Judiciary Commission for investigation any matter concerning the conduct of a judge that it finds could constitute gross misconduct or malfeasance.
21. Provides that nothing in this Chapter shall preclude removal of an official or judge under other existing constitutional remedies.

Report rejects House amendments which would have:

1. Report retains all House amendments.

Report amends the bill to:

1. Amend citations in the title.
2. Update title.
3. Amend citations in the enacting clause.

Digest of the bill as proposed by the Conference Committee

Proposed law defines "gross misconduct" and "malfeasance."

Proposed law requires that by a majority vote of its elected members, the House of Representatives is free to proceed with any impeachment under its own constitutional authority and the House may adopt rules of impeachment and may act in accordance with those rules for filing and passing bills and resolutions.

Proposed law shall provide an additional method to orderly consider impeachment.

Proposed law provides that if the complaint is against a judge, the Speaker of the House of Representatives or President of the Senate may request a confidential report from the

Judiciary Commission to ascertain whether the matter is already under active investigation.

Proposed law provides that the legislature may issue a Special Legislative Address for Investigation pursuant to Section 1423 of this Chapter.

Proposed law provides for the procedure for a complaint against an official for conduct subject to the jurisdiction of the Board of Ethics where the Speaker of the House of Representatives or President of the Senate may request a confidential report from the Board of Ethics to ascertain whether the matter is already under active investigation.

Proposed law provides that The Speaker of the House of Representatives or President of the Senate may pause proceedings pending the conclusion of disciplinary proceedings in another body. Proposed law allows investigation to proceed upon written petition of three-fifths of both the House of Representatives and the Senate.

Proposed law provides that upon request by three-fifths of both the House of Representatives and Senate, which may be by written ballot, the Speaker shall appoint three members of the House, the President of the Senate shall appoint three members of the Senate, and the Speaker of the House and President of the Senate shall jointly appoint one member of the legislature as chair of a Joint Legislative Committee on an Impeachment Investigation. The joint committee shall have the power of subpoena as a committee of the legislature.

Proposed law provides the procedure for an impeachment investigation request may be filed in writing by three-fifths of both the House of Representatives and Senate and shall be based upon a sworn complaint filed by any citizen with the clerk of the House of Representatives alleging a violation warranting impeachment under Section 24 of Article X of the Constitution of Louisiana.

Proposed law provides for the requirements of the complaint.

Proposed law provides the mechanism for the joint committee to determine that probable cause exists to support a violation warranting impeachment and to appoint a special master or special subcommittee to gather and report facts. Proposed law provides for the procedure to dismiss a complaint upon a finding that probable cause does not exist.

Proposed law provides the requirements of the committee on how the investigation shall be conducted, to give reasonable notice to the respondent, and grant the respondent an opportunity to be heard. Proposed law provides for how the report of any special committee or special master is to be handled. Proposed law provides that if the report and recommendation conclude that the facts do not support a finding a violation warranting impeachment, the complaint shall be dismissed unless three-fifths of the appointed members of the joint committee vote to proceed.

Proposed law provides for the requirements of the report and recommendation of the special master or the select committee that conclude that the facts support a finding of a violation warranting impeachment. Proposed law provides that the joint committee shall consider the report and recommendation, may make further inquiry, shall grant the respondent an opportunity to be heard before it, and shall respond to the report by taking any of the following actions: (a) dismiss the complaint, (b) issue a reprimand from the joint committee, or (c) develop its own recommendation to the Speaker of the House of Representatives

Proposed law provides that if the joint committee recommends impeachment by a three-fifths vote of its appointed members, the Speaker of the House of Representatives shall present the committee's final recommendation along with any findings of the special master or special committee, to the House for final action.

Proposed law provides that no member of the joint committee is recused from further consideration of the impeachment proceedings or a subsequent senate trial.

Proposed law provides that any material provided to the House of Representatives or joint committee in response to a complaint filed under Rule that is confidential under applicable

law shall remain confidential and shall not be disclosed to any person unless impeachment proceedings are recommended.

Proposed law provides a two year time limit from the date of the alleged violation for filing a complaint and sets the requirements for when a violation has occurred. Proposed law provides that a continuing violation does not prescribe and the period of limitation is tolled on the day a sworn complaint is filed with the Clerk of the House of Representatives.

Proposed law provides that when the House is in recess or not in session, the Speaker of the House of Representatives may appoint a replacement for any impeachment manager appointed by the House of Representatives if the manager neglects or is unable to perform the duties of a manager or if the manager resigns. The Speaker of the House of Representatives shall be the sole judge of such matters.

Proposed law provides that the Senate shall determine the time for the trial of any impeachment and may sit for the trial whether the legislature is in session or not in accordance . The President of the Senate may fix special meetings of the Senate under Section 24 of Article X of the Constitution of Louisiana for this purpose. The President of the Senate may appoint a special impeachment committee to develop the rules and procedures for any particular impeachment.

Proposed law authorizes the legislature to refer to the Judiciary Commission for investigation any matter concerning the conduct of a judge that it finds could constitute gross misconduct or malfeasance.

Proposed law does not preclude other available legal remedies available under the Constitution.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 42:1421-1424)