

2026 Regular Session

SENATE BILL NO. 479

BY SENATOR MORRIS

JUDGES. Provides for legislative address to the governor for the removal of certain judges for malfeasance, gross misconduct, or incompetence committed while in office. (See Act)

1 AN ACT

2 To enact Chapter 21-A of Title 42 of the Louisiana Revised Statutes of 1950, to be
3 comprised of R.S. 42:1421 through 1423, relative to removal of public officials; to
4 provide for removal of certain elected or temporarily appointed judges or a Louisiana
5 Supreme Court justice by legislative address; to provide relative to procedures; to
6 provide for definitions; to provide for effectiveness; and to provide for related
7 matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Chapter 21-A of Title 42 of the Louisiana Revised Statutes of 1950,
10 comprised of R.S. 42:1421 through 1423, is hereby enacted to read as follows:

11 CHAPTER 21-A. REMOVAL OF PUBLIC OFFICIALS BY LEGISLATIVE

12 ADDRESS

13 §1421. Definitions

14 For the purposes of this Chapter:

15 (1) "Gross misconduct" means the grossly improper or grossly negligent
16 performance of an official's duty to follow and apply the laws of this state or the
17 laws of the United States or to persistently engage in grossly improper or illegal

1 conduct which brings disrepute to the judicial system of this state or to
2 persistently violate the canons of the Louisiana Code of Judicial Conduct.

3 (2) "Incompetence" means a lack of ability or knowledge sufficient to
4 perform the duties of an office that leads to neglect of duty, dereliction of duty,
5 a miscarriage of justice, or misfeasance, as demonstrated by clear and
6 convincing evidence.

7 (3) "Legislative address" means a concurrent resolution of the
8 legislature addressed to the governor and informing him that an official has
9 been removed from office for malfeasance, gross misconduct, or incompetence
10 committed while in office.

11 (4) "Malfeasance" means the intentional or willful commission of an
12 unlawful or wrongful act including, but not limited to, the persistent refusal to
13 follow the laws of this state or the laws the United States.

14 (5) "Official" means an elected or temporarily appointed district,
15 juvenile, family, parish, municipal, or court of appeal judge, or a Louisiana
16 Supreme Court justice, who is subject to the provisions of this Chapter and
17 Article IV, Section 5(I) of the Constitution of Louisiana.

18 §1422. Legislative address; procedure

19 A. The legislature, by joint rule, shall provide the procedure for
20 introducing and adopting a legislative address removing an official from office.

21 B. The procedure shall, at a minimum, provide for:

22 (1) Service on the official of written cause for removal, containing
23 detailed allegations of malfeasance, gross misconduct, or incompetence
24 committed while in office.

25 (2) An opportunity for a trial in the Senate, at which the official shall
26 have the right to be represented by counsel.

27 C. A legislative address shall be effective upon a favorable vote of a
28 majority of the elected members of the House of Representatives and two-thirds
29 of the elected members of the Senate. The vote may be obtained by written

present law (Code of Civil Procedure).

Proposed law does not prohibit the removal of an elected or temporarily appointed district, juvenile, family, parish, municipal, court of appeal judge, or a La. Supreme Court justice, either by impeachment or by any other provision of present law.

Effective only if the proposed amendment to La. Const. Art. IV, Sec. 5(I) which originated as Senate Bill No. 123 of the 2026 Regular Session is adopted at a statewide election and becomes effective.

(Adds R.S. 42:1421-1423)