

2026 Regular Session

HOUSE BILL NO. 1148

BY REPRESENTATIVE TAYLOR

JUDGES: Provides relative to the judiciary commission's authority over the deliberative process of judges

1 AN ACT

2 To amend and enact R.S. 13:36, relative to the authority of the judiciary commission; to
3 limit the authority of the commission with respect to the review of the deliberative
4 process of judges and other matters; to provide for prospective and retroactive
5 application; to provide for effectiveness; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 13:36 is hereby amended and enacted to read as follows:

8 §36. Powers of commission; limitations

9 In the course of any investigation or hearing held by the commission, it may
10 administer oaths or affirmations, subpoena witnesses, compel their attendance,
11 examine them under oath or affirmation, and require the production of books,
12 records, documents, or other evidence deemed relevant or material to the
13 investigation or hearing. However, the commission shall not review a judicial
14 decision made during the deliberative process, a discretionary determination, or the
15 outcome of any application of law to the facts. Any determination made by the
16 commission or the supreme court regarding the deliberative process shall not be
17 taken as evidence of prior misconduct.

18 Section 2. The provisions of this Act shall be given retroactive and prospective and
19 application.

1 Section 3. This Act shall become effective upon signature by the governor or, if not
2 signed by the governor, upon expiration of the time for bills to become law without signature
3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
4 vetoed by the governor and subsequently approved by the legislature, this Act shall become
5 effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 1148 Original

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Taylor

Abstract: Prohibits the judiciary commission's authority with respect to reviewing the deliberative process of judges and other matters.

Present law (Const. Art. V, §25) provides for the censure, suspension, removal from office, or forced retirement of a judge found guilty of willful misconduct; willful and persistent failure to perform his duties; or persistent and public conduct prejudicial to the administration of justice that brings the judicial office into disrepute, malfeasance in office, conduct while in office which would constitute a felony, or conviction of a felony.

Present law (R.S. 13:32 et seq.) provides for a judiciary commission charged with the duties of conducting investigations and hearings related to allegations of misconduct by a judge.

Present law (R.S. 13:36) authorizes the judiciary commission to administer oaths, subpoena witnesses, examine witnesses under oath, and require the production of books, records or documents that are relevant to an investigation or hearing related to allegations of misconduct by a judge.

Proposed law retains present law but prohibits the judiciary commission from reviewing a decision made during the deliberative process, a discretionary determination, or the outcome of any application of law to the facts.

Proposed law provides for retroactive and prospective application.

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

(Amends R.S. 13:36)