

RÉSUMÉ DIGEST

ACT 916 (SB 479)

2026 Regular Session

Morris

Existing constitution (Const. Art. X, §24) provides that state or district official, whether elected or appointed, is liable to be impeached for commission or conviction during his term of office of a felony or for malfeasance or gross misconduct while in office. Provides for impeachment by the House of Representatives and trial by the Senate.

New law defines the following terms:

- (1) "Gross misconduct" means the grossly improper or willful and persistent failure in the performance of an official's duty to follow and apply the laws of this state or the laws of the United States or to persistently engage in grossly improper or illegal conduct which brings disrepute to the judicial system of this state or for a judge to willfully and persistently violate the canons of the Code of Judicial Conduct.
- (2) "Malfeasance while in office" means substantial wrongdoing or misconduct by a judge in an official capacity that seriously undermines public confidence in the judiciary, including any intentional refusal or other failure to perform any duty required by law; intentionally performing official duties in an unlawful manner; intentional or willful commission of an unlawful or wrongful act including the persistent refusal to follow the laws of this state or the United States; or knowingly permitting any other public officer or public employee, under his or her authority, to commit malfeasance in office.

New law authorizes the House of Representatives to proceed with any impeachment by majority vote of its elected members under its own constitutional authority. Authorizes the House to adopt rules of impeachment and to act during a session on any resolution of impeachment filed in the same manner as for passing bills notwithstanding any deadline for filing bills or substantive resolutions.

New law provides an additional method to orderly consider impeachment. Authorizes the Speaker of the House of Representatives or President of the Senate, if the complaint is against a judge, to request a confidential report from the Judiciary Commission to ascertain whether the matter is already under active investigation or to propose that legislature issue a Special Legislative Address for Investigation as provided in new law.

New law provides that if the complaint is against an official for conduct subject to the jurisdiction of the Board of Ethics, the speaker or president may request a confidential report from the Board of Ethics to ascertain whether the matter is already under active investigation.

New law authorizes the speaker or president to pause proceedings pending the conclusion of disciplinary proceedings in another body. Authorizes proceedings of impeachment to proceed upon written petition of three-fifths of both the House of Representatives and the Senate.

New law authorizes the speaker and the president, upon request of three/fifths of both the House of Representatives and the Senate, to appoint each three members from the House of Representative and three members from the Senate and to jointly appoint one member of the legislature to serve chair of a joint legislative committee on an impeachment investigation which joint committee shall have subpoena power as a committee of the legislature.

New law authorizes request for an impeachment investigation be filed in writing by three-fifths of both the House of Representatives and Senate and be based upon a sworn complaint filed by any citizen with the clerk of the House of Representatives alleging a violation warranting impeachment under La. Const. Art. X, §24. Requires that the complaint contain the name and legal address of the person filing it and be based on personal knowledge of the complainant; state detailed facts; specify the actions of the named respondent forming the basis of the complaint; and identify each specific rule or law alleged to have been violated.

New law authorizes the joint committee to proceed with its investigation, upon determination by three/fifths of the members that the complaint states facts finding probable cause of a

violation warranting impeachment and authorizes appointment of special master or special subcommittee to gather and report facts. Requires investigation of a complaint within two years after the alleged violation.

New law provides requirements for conducting the investigation; requirement to give the respondent reasonable and opportunity to be heard. Provides for dismissal of the unless three-fifths of the joint committee members vote to proceed.

New law requires that any material provided joint committee in response to a complaint is confidential and shall not be disclosed to any person unless impeachment proceedings are recommended.

New law provides that in lieu of bringing impeachment proceedings, the legislature by concurrent resolution may refer the matter to the Judiciary Commission for investigation any matter concerning the conduct of a judge that it finds could constitute gross misconduct or malfeasance.

New law does not preclude other available legal remedies for impeachment under the Constitution.

Effective June 12, 2026.

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