

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

12 LEGISLATIVE 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 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 of 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

1 consent of the elected members of each house of the legislature.

2 D. A legislative address passed by the elected members of each house of
 3 the legislature shall be transmitted to the governor, who shall certify the
 4 official's removal. Certification of the removal shall be mandatory and
 5 enforceable by mandamus or any other appropriate action or procedure
 6 authorized by the Code of Civil Procedure.

7 §1423. Availability of other proceedings

8 Nothing in this Chapter shall be construed as precluding removal of an
 9 official by impeachment pursuant to Article X, Section 24 of the Constitution
 10 of Louisiana or by the supreme court pursuant to Article V, Section 25 of the
 11 Constitution of Louisiana.

12 Section 2. This Act shall take effect and become operative if and when the proposed
 13 amendment to Article IV, Section 5(I) of the Constitution of Louisiana contained in the Act
 14 which originated as Senate Bill No. 123 of the 2026 Regular Session of the Legislature is
 15 finally adopted at a statewide election and becomes effective.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

DIGEST

SB 479 Reengrossed

2026 Regular Session

Morris

Proposed law defines "gross misconduct", "incompetence", "legislative address", "malfeasance", and "official".

Proposed law provides that the legislature, by joint rule, will provide a procedure for introducing and adopting a legislative address and that the procedure will provide for:

- (1) Service on the official of written cause for removal containing detailed allegations.
- (2) An opportunity for a trial in the Senate at which the official will have the right to be represented by counsel.

Proposed law provides that a legislative address will be effective upon receiving a favorable vote of a majority of the elected members of the House of Representatives and 2/3 of the elected members of the Senate. Proposed law also provides that the vote of each house may be obtained by written consent of its elected members.

Proposed law provides that a legislative address passed by the legislature will be sent to the governor for certification. Proposed law also provides that the governor's duty to certify will be enforceable by mandamus or any other appropriate action or procedure authorized by

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)

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Makes technical changes.