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 DIGEST

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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, shall provide a procedure for introducing and adopting a legislative address removing an official from office, and that the procedure 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 shall 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. Provides that the vote of each house may be obtained by written ballot.

Proposed law provides that a legislative address passed by the legislature shall be sent to the governor for certification. Proposed law also provides that the governor's duty to certify shall 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 the supreme court pursuant to present constitution.

Effective if and when the proposed amendment of Art. IV, Sec. 5(I) of the Constitution of La. contained in the Act which originated as Senate Bill No. 123 of the 2026 R.S. of the Legislature 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.

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on House and Governmental Affairs to the reengrossed bill:

1. Specify that the vote of each house may be obtained by written ballot rather than by written consent.