

2024 Regular Session

HOUSE BILL NO. 472

BY REPRESENTATIVE ZERINGUE

JUDGES: (Constitutional Amendment) Provides relative to discipline of judges

1 A JOINT RESOLUTION

2 Proposing to amend Article V, Section 25(C) of the Constitution of Louisiana, relative to
3 judicial disciplinary actions; to provide with respect to the powers of the judiciary
4 commission; to provide for submission of the proposed amendment to the electors;
5 and to provide for related matters.

6 Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members
7 elected to each house concurring, that there shall be submitted to the electors of the state of
8 Louisiana, for their approval or rejection in the manner provided by law, a proposal to
9 amend Article V, Section 25(C) of the Constitution of Louisiana, to read as follows:

10 §25. Judiciary Commission

11 Section 25.

12 * * *

13 (C) Powers. (1) On recommendation of the judiciary commission, the
14 supreme court ~~may~~ shall censure, suspend with or without salary, remove from
15 office, or retire involuntarily a judge for willful misconduct relating to his official
16 duty, willful and persistent failure to perform his duty, persistent and public conduct
17 prejudicial to the administration of justice that brings the judicial office into
18 disrepute, conduct while in office which would constitute a felony, or conviction of
19 a felony. (2) On recommendation of the judiciary commission, the supreme court
20 may disqualify a judge from exercising any judicial function, without loss of salary,
21 during pendency of proceedings in the supreme court. (3) On recommendation of
22 the judiciary commission, the supreme court may retire involuntarily a judge for

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disability that seriously interferes with the performance of his duties and that is or

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is likely to become permanent. The supreme court shall make rules implementing

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this Section and providing for confidentiality and privilege of commission

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proceedings.

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* * *

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Section 2. Be it further resolved that this proposed amendment shall be submitted

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to the electors of the state of Louisiana at the statewide election to be held on November 5,

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2024.

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Section 3. Be it further resolved that on the official ballot to be used at the election,

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there shall be printed a proposition, upon which the electors of the state shall be permitted

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to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as

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follows:

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Do you support an amendment to require the supreme court to discipline

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judges on recommendation of the judiciary commission? (Amends Article V,

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Section 25(C))

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 472 Original

2024 Regular Session

Zeringue

Abstract: Requires the supreme court to discipline judges on recommendation of the judiciary commission.

Present law provides that on recommendation of the judiciary commission, the supreme court may censure, suspend with or without salary, remove from office, or retire involuntarily a judge for willful misconduct, willful and persistent failure to perform his duty, conduct prejudicial to the administration of justice that brings the office into disrepute, conduct which would constitute a felony, or conviction of a felony.

Proposed law requires the supreme court to take disciplinary action on recommendation of the judiciary commission.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Nov. 5, 2024.

(Amends Const. Art. V, §25(C))