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 DIGEST

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SB 177 Reengrossed

2024 Regular Session

Morris

Present constitutional amendment allows the supreme court to discipline a sitting judge for cause after receiving a recommendation from the judiciary commission.

Proposed constitutional amendment adds "malfeasance while in office" to the list of specified actions for which the supreme court may pursue disciplinary action against a sitting judge.

Proposed constitutional amendment requires the judiciary commission, after receiving a directive from the supreme court or on recommendation by the judiciary commission, to investigate a sitting judge prior to the supreme court taking disciplinary action against a sitting judge for cause.

Proposed constitutional amendment provides that the supreme court may, pending an investigation by the judiciary commission, temporarily suspend with or without salary, a judge for willful misconduct relating to his official duty, willful and persistent failure to perform his duty, conduct in violation of the code of judicial conduct, prejudicial to the administration of justice that bring the judicial office into disrepute, malfeasance while in office, or conduct while in office which would constitute a felony, or conviction of a felony.

Proposed constitutional amendment otherwise retains present constitution.

Specifies submission of the amendment to the voters at the statewide election to be held on Nov. 5, 2024.

(Amends Const. Art. V, Sec. 25(C))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary A to the original bill

1. Removes the proposed changes to the composition of the judiciary commission.
2. Adds that an investigation by the judiciary commission may be instituted by either a majority of the supreme court or by recommendation by the judiciary commission.
3. Changes ballot language to include "or on recommendation by the judiciary commission".

Senate Floor Amendments to engrossed bill

1. Adds that the supreme court may temporarily suspend a judge with or without salary for certain misconduct.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Judiciary to the reengrossed bill:

1. Make technical changes.