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 123 Original | 2026 Regular Session | Morris

Present constitution allows the governor to remove from office a person he appointed unless that person is appointed for a term fixed by either present constitution or present law.

Proposed constitutional amendment retains present constitution.

Proposed constitutional amendment allows the governor to issue an executive order recommending either the suspension or both the suspension and removal of a district attorney or a district, juvenile, family, or municipal court judge for malfeasance, gross misconduct, or incompetence while in office. Proposed constitutional amendment also provides that a suspension must be with pay and for no longer than six months.

Proposed constitutional amendment provides that the Senate may, by a two-thirds majority vote, affirm the recommended suspension. Proposed constitutional amendment also provides that the vote may be taken by written ballot.

Proposed constitutional amendment provides that if the executive order recommends suspension and removal, and the suspension is affirmed, any member of the Senate may make a motion to remove the suspended official. If the motion passes the Senate by a simple majority vote, the Senate must conduct a trial according to the rules of the Senate.

Proposed constitutional amendment provides that, following a trial, the Senate may vote to remove the suspended official. Upon a two-thirds majority vote of the Senate, the official is removed from office.

Proposed constitutional amendment provides that a district attorney or a district, juvenile, family, or municipal court judge who is removed is permanently barred from seeking any judicial office in the state of Louisiana.

Specifies submission of the amendment to the voters at the statewide election to be held on April 17, 2027, as authorized by law.

(Amends Const. Art. IV, Sec. 5(I))