



**LEGISLATIVE FISCAL OFFICE
Fiscal Note**

Fiscal Note On: **SB 425** SLS 26RS 845
 Bill Text Version: **ENGROSSED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: April 21, 2026	11:37 AM	Author: MORRIS, JAY
Dept./Agy.: Public Officials		
Subject: Removal for Malfeasance or Gross Misconduct		Analyst: Kimberly Fruge

PUBLIC EMPLOYEES EG SEE FISC NOTE GF EX Page 1 of 1
 Provides for removal by suit of certain elected officials. (8/1/26)

Current law provides that a public officer shall be removed from office for conviction of a felony. Proposed law provides that a public officer shall be removed from office for malfeasance or gross misconduct while in office; provides that a public officer who is guilty of malfeasance or gross misconduct shall be automatically suspended from public office without compensation; provides for the appointment of another person to perform duties of the public officer removed from office; provides that a public official shall be removed from office by judgment of the district court of the district in which he is domiciled, the parish where the conduct occurred, or in the 19th Judicial District for commission of a felony, malfeasance, or gross misconduct; provides that any action pursuant to proposed law shall be civil in nature; provides that the Attorney General or the Legislature may prosecute an action pursuant to proposed law; provides that if the legislature initiates an action, the action shall be prosecuted by the President of the Senate or the Speaker of the House, or a designee; provides that the President and Speaker may jointly appoint a special prosecutor as an alternative; provides that the Supreme Court shall appoint an ad hoc judge to preside over any action initiated under proposed law.

EXPENDITURES	2026-27	2027-28	2028-29	2029-30	2030-31	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total						
REVENUES	2026-27	2027-28	2028-29	2029-30	2030-31	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

Proposed law may result in additional SGF expenditures, primarily associated with trials in which public officials may be removed from office for a felony, malfeasance, or gross misconduct during their term in office by the legislature filing an action. Under current law, a public official is removed from office following a felony conviction. Proposed law expands conditions under which a public official can be removed from office (malfeasance or gross misconduct) and adds that they can be removed through civil action brought by the legislature. The exact fiscal impact is situational and will depend on if and when civil action is filed to remove a public official from office, how many actions are filed in a year, and the duration of any trials.

Legislative Expenses. The legislature may incur expenditures to the extent they rely on outside counsel and/or a special prosecutor to bring civil action against a public official to have them removed from office for the commission of a felony, malfeasance, or gross misconduct. The exact fiscal impact of utilizing outside counsel or a special prosecutor is indeterminable and dependent on the duration of the trial.

District Courts and the 19th Judicial District. Proposed law may result in an indeterminable impact on workload in the district courts or the 19th Judicial District, to the extent that they experience an increase in filings for civil actions pursued for violations of the proposed law. Proposed law allows the legislature, in addition to the attorney general, to bring civil action against a public official to have them removed from office for the commission of a felony, or malfeasance, or gross misconduct. The exact fiscal impact relative to the increase in workload is indeterminable, because it is unknown the number of instances in which civil actions would be filed (and the related hearings conducted) for these matters.

Attorney General. Proposed law may result in an indeterminable impact on workload in the Office of the Attorney General, to the extent that the office pursues civil actions against a public official to have them removed from office for malfeasance or gross misconduct. The exact fiscal impact to the Attorney General is indeterminable, because it is unknown the number of instances in which the Attorney General will pursue these civil actions and participate in hearings on these matters. Any fiscal impact is projected to be absorbed within the Attorney General's budget.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

Senate Dual Referral Rules
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Patrice Thomas
Deputy Fiscal Officer