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## DIGEST

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Nancy Landry

HB No. 1006

**Abstract:** Expands the causes for removal by suit of a public officer to include commission of a felony during the term of office or malfeasance or gross misconduct while in office.

Present constitution (Art. X, Secs. 24 and 25) requires the legislature to provide by general law for the removal by suit of any state, district, parochial, ward, or municipal official except the governor, lieutenant governor, and judges for commission or conviction during his term of office of a felony or for malfeasance or gross misconduct while in such office.

Present law (R.S. 42:1411) provides that a public officer shall be removed from office for conviction during his term of office of a felony.

Proposed law retains present law and additionally provides that a public officer shall be removed from office for the additional causes provided for in present constitution: commission, during his term of office, of a felony or malfeasance or gross misconduct while in office.

Present law (R.S. 42:1412) provides for the method of removal of a public officer for conviction of a felony. Provides for a suit to be brought by the district attorney or the attorney general in certain situations. Provides procedures and deadlines for filing suit, hearings, judgment, and appeal.

Proposed law retains present law. Additionally provides that for a cause enumerated in proposed law, a public officer shall be removed by judgment of the district court of the district in which the public officer is domiciled. Provides that any citizen of the state of La. may institute the suit. Applies present law procedures and deadlines to suits pursuant to proposed law.

(Amends R.S. 42:1411(A) and 1412(A))