

SENATE BILL NO. 252

INTRODUCED BY D. HOWARD, B. USHER, M. BLASDEL, K. BOGNER, B. BROWN, J. ELLSWORTH, C. FRIEDEL, T. GAUTHIER, B. GILLESPIE, C. GLIMM, G. HERTZ, S. HINEBAUCH, D. KARY, B. KEENAN, T. MANZELLA, T. MCGILLVRAY, B. MOLNAR, R. OSMUNDSON, K. REGIER, C. SMITH, G. VANCE

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO JUDICIAL IMPEACHMENT; PROVIDING A DEFINITION FOR "MALFEASANCE" IN A JUDICIAL SETTING; AND AMENDING SECTION 5-5-401, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 5-5-401, MCA, is amended to read:

"5-5-401. Officers liable to impeachment. (1) The governor, executive officers, heads of state departments, and judicial officers are liable to impeachment for felonies and misdemeanors or malfeasance in office.

(2) As used in this section, "malfeasance", when applied to a judicial officer, includes but is not limited to exceeding the role of the judge as provided in 1-2-101, including inserting what has been omitted or omitting what has been inserted in a judicial decision or order."

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