

## 1 SENATE BILL NO. 318

2 INTRODUCED BY T. MANZELLA

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS FOR THE JUDICIARY; RESTRICTING A JUDGE  
5 IN A CITY COURT FROM PRACTICING LAW IN THE CITY COURT; PROVIDING A DEFINITION FOR  
6 "MALFEASANCE" IN A JUDICIAL IMPEACHMENT SETTING; AMENDING ~~SECTION~~ SECTIONS 3-1-604  
7 AND 5-5-401, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

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11 **Section 1.** Section 3-1-604, MCA, is amended to read:

12 **"3-1-604. Restrictions on municipal court judges and judges in city courts.** A municipal court  
13 judge or a judge in a city court or a city court of record may not practice law before the judge's own ~~municipal~~  
14 court or hold office in a political party during the judge's term of office."

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16 **SECTION 2.** SECTION 5-5-401, MCA, IS AMENDED TO READ:

17 **"5-5-401. Officers liable to impeachment.** (1) The governor, executive officers, heads of state  
18 departments, and judicial officers are liable to impeachment for felonies and misdemeanors or malfeasance in  
19 office.

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

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24 **NEW SECTION.** **Section 3. Effective date.** [This act] is effective on passage and approval.

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