

**SENATE BILL No. 439**

By Senators Fitzgerald, Abrams, Arpke, Baumgardner, Donovan, Holmes, Knox, LaTurner, Lynn, Masterson, Melcher, O'Donnell, Olson, Petersen, Powell, Pyle, Smith and Tyson

2-10

1 AN ACT relating to grounds for impeachment of justices of the supreme  
2 court and certain judges of the district court.

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4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. For the purposes of sections 27 and 28 of article 2 and  
6 section 15 of article 3 of the constitution of the state of Kansas, in an  
7 impeachment proceeding against a justice of the supreme court or in a  
8 proceeding for discipline, suspension or removal for cause against an  
9 appointed judge of the district court, the grounds for such impeachment or  
10 for such discipline, suspension or removal for cause shall include, but not  
11 be limited to, any one or more of the following:

- 12 (a) Commission of treason;
- 13 (b) commission of bribery;
- 14 (c) commission of other indictable criminal offenses;
- 15 (d) commission of a breach of the public trust;
- 16 (e) commission of a breach of judicial ethics;
- 17 (f) failure to perform adequately the duties of office;
- 18 (g) attempting to subvert fundamental laws and introduce arbitrary  
19 power;
- 20 (h) attempting to usurp the power of the legislative or executive  
21 branch of government;
- 22 (i) exhibiting discourteous conduct toward litigants, jurors, witnesses,  
23 lawyers or others with whom the justice or judge deals in an official  
24 capacity;
- 25 (j) exhibiting wanton or reckless judicial conduct;
- 26 (k) exhibiting personal misbehavior or misconduct;
- 27 (l) failure to properly supervise, administer or discipline judicial  
28 personnel; or
- 29 (m) such other actions which in accordance with section 28 of article  
30 2 of the constitution of the state of Kansas may constitute grounds for  
31 impeachment or which in accordance with section 15 of article 3 of the  
32 constitution of the state of Kansas may constitute grounds for discipline,  
33 suspension or removal for cause.

34 Sec. 2. This act shall take effect and be in force from and after its

- 1 publication in the statute book.