

Rules of Censure and Impeachment Act (Legislative Code Amendment)

An Act to provide both a definition and a structure for Censure and Impeachment of Government Officials.

Preamble:

Whereas the Legislature has the power to Impeach a Government Official;

Whereas the Legislature is responsible for the organization of its own body;

Whereas the definition of Impeachment is ill-defined by the Constitution;

Whereas the process of a live session should not be extended to a degree in which it cannot be reasonably expected for members to be in attendance;

Therefore the President, by and with the advice and consent of the Legislature, enact as follows:

Section 1: Clarification of Impeachment and Censure

1. Only during the “New Business” Point of Order during any live session may a motion be made to impeach a government official, as is enumerated in the Democraciv Constitution, or to Censure a government official, or group of officials.
 - a. Any motion to Impeach may be voted upon as enumerated in the constitution, and if successful shall initiate the procedure of Impeachment.
 - b. Any motion to Censure may be voted upon as a normal legislative motion akin to Releasing a Public Statement, but that motion must be accompanied by the exact wording of the Censure proposed.

Section 2: Rules and Consequences of Impeachment

1. If a motion to Impeach a Government Official succeeds in the course of a Legislative session as enumerated in the Constitution, that shall trigger the beginning of an Impeachment Hearing in the Legislature.
 - a. An Impeachment Hearing is not considered part of a normal Legislative Session in the same way that a Supreme Court Nominee Hearing is not considered part of the normal Legislative Session.

2. Upon passage of a motion to Impeach, the Legislative Cabinet is responsible for scheduling an impeachment hearing to begin no later than 48 hours after the announcement of the passage of that same motion.
 - a. An Impeachment Hearing is to have a requirement of a Live Session which shall follow all normal Rules and Procedures of the normal Legislative live session.
 - b. The government official, or group of officials are not required to attend, unless during that session a Quorum is called for and succeeds.
 - i. A Quorum compels the government official, or officials to attend the session, and compels the presiding officer of the Legislature to grant a recess until such a time at the government official in question can reasonably attend the session.
 1. A recess resulting from a Quorum may not exceed 24 hours for the purposes of gathering government officials, if after that time the officials summoned do not attend they shall be held in contempt of the People, and may be sentenced immediately by the legislature the minimum sentence for violation of a law as prescribed by the Penal Code.
3. During an Impeachment hearing, one member of the Legislature at any given time may bring forth an argument, or if the government official or officials under investigation are present, may instead ask that official or officials a question or request an explanation for that official's actions which lead to the impeachment hearing.
4. If, under any circumstance, the impeachment hearing of any official shall extend into the beginning of a normal Legislative session, the presiding officer of the impeachment hearing must call the hearing to a recess until the conclusion of the normal Legislative session to allow for government procedure to continue.
5. Upon conclusion of the impeachment hearing, the presiding officer must add as a Point of Order to the next Legislative Agenda a Question of Impeachment.
 - a. Questions of Impeachment may only succeed if a minimum of two-thirds of the votes cast are in the affirmative.
 - b. If a Question of Impeachment is successful, the government official will immediately be removed from any government positions they hold.
 - i. If removed due to impeachment, that government official may not serve to choose their own replacement except in the instance of the Impeachment

of the President as the Vice-President shall immediately take that position.

- ii. If removed due to impeachment, that government official may not serve in any governmental capacity, including but not limited to, holding office directly, proxying for a held office, or being appointed to an office, until the conclusion of the following Executive Election Cycle.
- c. If a Question of Impeachment is successful, the Supreme Court will be compelled to begin a case of Criminal Investigation into that official at the earliest convenience of the Court as enumerated in the Constitution.

Section 2: Rules and Consequences of Censure

- 1. If a motion to Censure succeeds in the normal course of a Legislative Session, that censure will be posted to the main reddit page.
- 2. A successful Censure may serve as evidence in an Impeachment hearing, but under no circumstances is to be used in cases of Criminal Investigation.