

## HJRES 77

Proposing an amendment to the Constitution of the United States regarding the appointment of individuals to fill vacancies in the House of Representatives.

**Congress:** 108 (2003–2005, Ended)

**Chamber:** House

**Policy Area:** Congress

**Introduced:** Nov 19, 2003

**Current Status:** Referred to the Subcommittee on the Constitution.

**Latest Action:** Referred to the Subcommittee on the Constitution. (Dec 10, 2003)

**Official Text:** <https://www.congress.gov/bill/108th-congress/house-joint-resolution/77>

### Sponsor

**Name:** Rep. Baird, Brian [D-WA-3]

**Party:** Democratic • **State:** WA • **Chamber:** House

### Cosponsors

*No cosponsors are listed for this bill.*

### Committee Activity

| Committee           | Chamber | Activity    | Date         |
|---------------------|---------|-------------|--------------|
| Judiciary Committee | House   | Referred to | Dec 10, 2003 |

### Subjects & Policy Tags

**Policy Area:**

Congress

### Related Bills

*No related bills are listed.*

Constitutional Amendment - Requires an individual, who is elected to serve as a Member of the House of Representatives for a Congress, before taking the oath of office, to present to the chief executive of the State from which the individual is elected a list of at least two qualified nominees to take the individual's place in the event the individual dies or becomes incapacitated before the individual's term of office expires. Allows the individual, after such oath, to revise the list at any time during a Congress.

Provides that if at any time a majority of the whole membership of the House is unable to carry out its duties because of death or incapacity, or if at any time the House adopts a resolution declaring that extraordinary circumstances exist which threaten the ability of the House to represent the interests of the people of the United States, the chief executive of any State represented by a member who is dead or incapacitated at that time shall appoint, from the most recent list, an individual to take the Member's place. Requires: (1) the individual to be appointed as soon as practicable (but in no event later than seven days) after the Member's death or incapacity has been certified; (2) the individual to serve until the Member regains capacity or until another Member is elected to the vacancy; and (3) the State to provide for an election to fill the vacancy. Allows the appointed individual to be a candidate in the election. States that these provisions do not apply to any Member of the House who dies or becomes incapacitated before the seven-day period which ends on the date on which the event requiring such appointments occurs.

Provides that if the appointed individual is unable to carry out a Member's duties, the chief executive of the State involved shall appoint another individual from the same list of nominees.

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### **Actions Timeline**

- **Dec 10, 2003:** Referred to the Subcommittee on the Constitution.
- **Nov 19, 2003:** Introduced in House
- **Nov 19, 2003:** Introduced in House
- **Nov 19, 2003:** Referred to the House Committee on the Judiciary.