

## HJRES 56

Proposing an amendment to the Constitution of the United States to temporarily fill mass vacancies in the House of Representatives and the Senate and to preserve the right of the people to elect their Representatives and Senators in Congress.

**Congress:** 110 (2007–2009, Ended)

**Chamber:** House

**Policy Area:** Congress

**Introduced:** Oct 4, 2007

**Current Status:** Referred to the Subcommittee on the Constitution, Civil Rights, and Civil Liberties.

**Latest Action:** Referred to the Subcommittee on the Constitution, Civil Rights, and Civil Liberties. (Jan 14, 2008)

**Official Text:** <https://www.congress.gov/bill/110th-congress/house-joint-resolution/56>

### Sponsor

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

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

### Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Rohrabacher, Dana [R-CA-46]	R · CA		Oct 4, 2007

### Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred to	Jan 14, 2008

### Subjects & Policy Tags

#### Policy Area:

Congress

### Related Bills

*No related bills are listed.*

Constitutional Amendment - Requires an individual elected to serve as a Senator or Representative in Congress, immediately after taking the oath of office, to provide the applicable chamber a list of at least three qualified designees (ranked in order of preference) to take the individual's place in the event the individual dies, becomes incapacitated, or disappears before the individual's term of office expires. Allows the individual to revise the list at any time during a Congress.

Requires: (1) the Speaker of the House, in the event a catastrophe resulting in the death, incapacity, or disappearance of a significant number of Representatives, to fill the vacancies immediately with individuals from the most recent lists of designees presented by the Representatives whose seats are now vacant; and (2) the Vice President or President Pro Tempore of the Senate to fill such vacancies regarding Senators in the same manner.

Declares that an individual designated to take the place of a Senator or Representative shall serve until the Senator or Representative regains capacity, is located, or until another Member is elected to fill the vacancy.

Provides that, during the period of such individual's service, he or she shall be treated as a Senator or Representative in Congress for purposes of all laws, rules, and regulations, except for providing such list. Requires the Vice President or President Pro Tempore of the Senate or the Speaker of the House to designate another individual from the same list (in the order so provided on that list) if a designated individual is unwilling to carry out the duties of a Senator or Representative during such period, or is unable to do so because of death, incapacity, or disappearance. Prohibits any designated individual from providing such a list.

Requires: (1) the executive authority of the state involved to issue a writ of election to elect another Member to such office; and (2) the special election to be held as soon as possible after an individual is designated to fill the vacancy.

Declares that Congress shall: (1) by law establish the criteria for determining whether a Senator or Representative in Congress is dead, incapacitated, or has disappeared; and (2) have the power to enforce this article through appropriate legislation.

---

## **Actions Timeline**

- **Jan 14, 2008:** Referred to the Subcommittee on the Constitution, Civil Rights, and Civil Liberties.
- **Oct 4, 2007:** Introduced in House
- **Oct 4, 2007:** Referred to the House Committee on the Judiciary.