

HJRES 52

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: 111 (2009–2011, Ended)

Chamber: House

Policy Area: Congress

Introduced: May 20, 2009

Current Status: Referred to the House Committee on the Judiciary.

Latest Action: Referred to the House Committee on the Judiciary. (May 20, 2009)

Official Text: <https://www.congress.gov/bill/111th-congress/house-joint-resolution/52>

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		May 20, 2009

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred To	May 20, 2009

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 for 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

- **May 20, 2009:** Introduced in House
- **May 20, 2009:** Referred to the House Committee on the Judiciary.

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