



SJR 19 – Gubernatorial Line of Succession, Constitutional Amendment (LSB1758SV)
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Fiscal Note Version – New (Same as Fiscal Note for HJR 6)

Description

Senate Joint Resolution 19 proposes an amendment to the Iowa Constitution relating to the consequences of a Governor becoming temporarily or permanently unable to perform the duties of the Governor. In cases where the inability is temporary, the Lieutenant Governor would have the powers of the Governor until the Governor is able to resume the office. In cases where the inability is permanent, the Lieutenant Governor shall assume the office of the Governor, and in that capacity, shall appoint a new Lieutenant Governor. The newly appointed Lieutenant Governor shall have all the powers and duties of an elected Lieutenant Governor, including the duty to act as Governor, or to assume the office of the Governor and appoint a new Lieutenant Governor.

Background

Currently, Article IV of the Iowa Constitution describes the order of succession for the office of the Governor. If the Governor is temporarily or permanently unable to perform the role of the office, the Lieutenant Governor shall assume the role of Governor. If, after assuming the role of Governor, the Lieutenant Governor becomes unable to perform the role, the President of the Senate shall assume the role of Governor, followed similarly by the Speaker of the House of Representatives.

On May 1, 2017, Attorney General Thomas Miller issued an [advisory opinion](#) arguing that the Iowa Constitution does not allow a Lieutenant Governor who has assumed the office of Governor to appoint a new Lieutenant Governor.

Assumptions

- The average cost to publish a proposed Constitutional amendment in a single newspaper is \$600.
- Publication of the initial amendment would occur monthly in eight newspapers (two in each congressional district) for a three-month period.
- Subsequent publication of the amendment would occur monthly in 99 newspapers (one in each county) for a three-month period.

Fiscal Impact

The estimated cost to publish a proposed Constitutional amendment passed by the General Assembly during the 2019 Legislative Session would be \$14,400 (8 newspapers x 3 months x \$600). The costs would be incurred in fall 2020 (FY 2021). Assuming the proposed amendment is passed a second time during the 2021 Legislative Session, the estimated cost would be \$178,200 (99 newspapers x 3 months x \$600). The costs would be incurred in fall 2022 (FY 2023). These publication costs would be incurred by the Iowa Secretary of State's Office.

Sources

Office of the Secretary of State
Office of the Attorney General

/s/ Holly M. Lyons

March 22, 2019

The fiscal note for this Bill was prepared pursuant to Joint Rule 17 and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.
