

Senate Joint Resolution 2006 - Reprinted

SENATE JOINT RESOLUTION 2006
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO SSB 3133)

(As Amended and Passed by the Senate March 7, 2018)

SENATE JOINT RESOLUTION

1 A Joint Resolution proposing an amendment to the Constitution
2 of the State of Iowa relating to the gubernatorial line of
3 succession.

4 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. The following amendment to the Constitution of
2 the State of Iowa is proposed:

3 Section 4 of Article IV of the Constitution of the State of
4 Iowa, as amended by amendment number 1 of the Amendments of
5 1952 and by amendment number 1 of the Amendments of 1988, is
6 repealed and the following adopted in lieu thereof:

7 **Election by general assembly in case of tie — inability of**
8 **governor-elect to qualify — succession by lieutenant governor —**
9 **inauguration of governor and lieutenant governor upon removal of**
10 **inability of governor-elect to qualify.** SEC. 4. The nominees
11 for governor and lieutenant governor jointly having the highest
12 number of votes cast for them shall be declared duly elected.
13 If two or more sets of nominees for governor and lieutenant
14 governor have an equal and the highest number of votes for
15 the offices jointly, the general assembly shall by joint vote
16 proceed, as soon as is possible, to elect one set of nominees
17 for governor and lieutenant governor.

18 If after the final canvass of votes but before inauguration
19 the governor-elect has since died, does not qualify, or
20 is permanently unable to assume office, the lieutenant
21 governor-elect shall become governor upon inauguration, to the
22 exclusion of any other office, for the residue of the term.
23 In the event of a temporary inability of the governor-elect
24 to assume office, the lieutenant governor-elect shall become
25 governor upon inauguration, until the inability is removed, at
26 which time, the governor-elect and lieutenant governor-elect
27 shall be inaugurated as governor and lieutenant governor.

28 Section 10 of Article IV of the Constitution of the State of
29 Iowa is amended to read as follows:

30 **Vacancies.** SEC. 10. When any office shall, from any cause,
31 become vacant, and no mode is provided by the constitution and
32 laws for filling such vacancy, the governor shall have power to
33 fill such vacancy, by granting a commission, which shall expire
34 at the end of the next session of the general assembly, or at
35 the next election by the people. The governor shall have the

1 power to fill a vacancy in the office of lieutenant governor
2 by appointment.

3 Section 17 of Article IV of the Constitution of the State of
4 Iowa is repealed and the following adopted in lieu thereof:

5 **Lieutenant governor to assume the office of governor —**
6 **vacancy.** SEC. 17. If the governor dies, resigns, is removed
7 or impeached prior to acquittal or conviction, or is otherwise
8 unable to serve, the lieutenant governor shall become governor,
9 to the exclusion of any other office. If the preceding
10 governor becomes able to serve, the succeeding governor shall
11 again assume the office of lieutenant governor for the residue
12 of the term, to the exclusion of any other office.

13 Section 19 of Article IV of the Constitution of the State
14 of Iowa, as amended by amendment number 2 of the Amendments of
15 1952 and by amendment number 2 of the Amendments of 1988, is
16 repealed and the following adopted in lieu thereof:

17 **Succession to office of governor and lieutenant governor —**
18 **simultaneous inability to serve — qualification of successor**
19 **governor to office.** SEC. 19. If the governor and lieutenant
20 governor are simultaneously unable to serve, the president
21 of the senate shall become governor, followed by the speaker
22 of the house if the president of the senate is unable or
23 unwilling to serve, each succeeding, to the exclusion of the
24 powers and duties of any other office. If the governor or
25 lieutenant governor so succeeded becomes able to serve, the
26 governor or lieutenant governor shall assume the office to
27 which the governor or lieutenant governor qualified prior
28 to the inability, and any successor governor who has served
29 during the period of inability may assume the office to which
30 the successor governor previously qualified, if the successor
31 governor served as governor for less than one hundred ten days.

32 Sec. 2. REFERRAL AND PUBLICATION. The foregoing proposed
33 amendment to the Constitution of the State of Iowa is referred
34 to the general assembly to be chosen at the next general
35 election for members of the general assembly, and the secretary

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1 of state is directed to cause the proposed amendment to be
2 published for three consecutive months previous to the date of
3 that election as provided by law.