
DIGEST

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Lorusso

HB No. 183

Abstract: Requires the legislature to provide by law for the prompt and temporary succession to the powers and duties of a legislator who is unavailable to perform his functions or duties due to being ordered to active duty in the armed services of the U.S.

Present constitution (Art. III, §4(C) and (D)) provides that a member of the legislature shall be elected for a four-year term and that a vacancy in the legislature shall be filled for the remainder of the term only by election by the electors of the respective district as provided by law. Present constitution (Art. XII, §11) requires the legislature to provide for orderly and temporary continuity of state government, in periods of emergency, until normal processes of government can be reestablished in accordance with the constitution and laws of the state; and, except as otherwise provided by present constitution, for the prompt and temporary succession to the powers and duties of public offices when incumbents become unavailable to perform their functions.

Proposed constitutional amendment retains present constitution and further requires the legislature to provide by law for the prompt and temporary succession to the powers and duties of a member of the legislature if the incumbent member is unavailable to perform his functions or duties due to being ordered to active duty in the armed services of the U.S.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Nov. 4, 2008.

(Adds Const. Art. III, §4(F))