

HCS HB 1442 -- VACANCIES IN OFFICE (Smith, 150)

COMMITTEE OF ORIGIN: Committee on Elections

Currently, the Office of United States Senator and most statewide offices, except for the Office of Governor, may be filled by a gubernatorial appointment when there is a vacancy. This substitute specifies that when there is a vacancy in the office of United States Senator, Lieutenant Governor, Attorney General, Secretary of State, State Auditor, or State Treasurer, the Governor must immediately appoint an acting officer until a successor is elected at the next scheduled election for that office or at a special election under specified conditions. No person appointed by the Governor can be eligible to be a candidate for the office to which he or she was appointed in the immediately following election for the office but may be a candidate for that office after one intervening election has been held. In the case of an impeachment trial for these offices, the acting officer will supervise these offices until a final determination is made, and there is either a reinstatement or the special election winner takes office.

The substitute contains a referendum clause and will be submitted to qualified voters in November 2012.

FISCAL NOTE: No impact on state funds in FY 2013, FY 2014, and FY 2015.