

108TH CONGRESS  
1ST SESSION

# S. J. RES. 23

Proposing an amendment to the Constitution of the United States providing for the event that one-fourth of the Members of either the House of Representatives or the Senate are killed or incapacitated.

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## IN THE SENATE OF THE UNITED STATES

NOVEMBER 5, 2003

Mr. CORNYN introduced the following joint resolution; which was read twice and referred to the Committee on the Judiciary

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# JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States providing for the event that one-fourth of the Members of either the House of Representatives or the Senate are killed or incapacitated.

1       *Resolved by the Senate and House of Representatives*  
2    *of the United States of America in Congress assembled (two-*  
3    *thirds of each House concurring therein),* That the fol-  
4    *lowing article is proposed as an amendment to the Con-*  
5    *stitution of the United States, which shall be valid to all*  
6    *intents and purposes as part of the Constitution when*  
7    *ratified by the legislatures of three-fourths of the several*  
8    *States:*

## 1                   “ARTICLE—

2        “The Congress may by law provide for the case of  
3    death or inability of Members of the House of Representa-  
4    tives, and the case of inability of Members of the Senate,  
5    in the event that one-fourth of either House are killed or  
6    incapacitated, declaring who shall serve until the disability  
7    is removed, or a new Member is elected. Any procedures  
8    established pursuant to such a law shall expire not later  
9    than 120 days after the death or inability of one-fourth  
10   of the House of Representatives or the Senate, but may  
11   be extended for additional 120-day periods if one-fourth  
12   of either the House of Representatives or the Senate re-  
13   mains vacant or occupied by members unable to serve.”.

