

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.”.

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