

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. J. RES. 49

Proposing an amendment to the Constitution of the United States regarding the appointment of individuals to serve as Members of the House of Representatives when, in a national emergency, a significant number of Members are unable to serve due to death, resignation, or incapacity.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 12, 2005

Ms. ZOE LOFGREN of California introduced the following joint resolution;  
which was referred to the Committee on the Judiciary

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## JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States regarding the appointment of individuals to serve as Members of the House of Representatives when, in a national emergency, a significant number of Members are unable to serve due to death, resignation, or incapacity.

1       *Resolved by the Senate and House of Representatives*  
2       *of the United States of America in Congress assembled*  
3       *(two-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*

1 ratified by the legislatures of three-fourths of the several  
2 States within seven years after the date of its submission  
3 for ratification:

4 “ARTICLE —

5 “SECTION 1. With the approval of two thirds of each  
6 House of Congress, Congress may by law provide for the  
7 appointment of temporary members of the House of Rep-  
8 resentatives to serve during any period in which 30 per-  
9 cent or more of the seats of the House of Representatives  
10 are vacant due to death, resignation, or incapacity.

11 “SECTION 2. Any temporary member appointed pur-  
12 suant to a law enacted to carry out this article shall serve  
13 until a member is elected to fill the vacancy in accordance  
14 with the applicable laws regarding special elections in the  
15 State involved or until the expiration of the 6-month pe-  
16 riod which begins on the first day of the temporary mem-  
17 ber’s service, whichever occurs earlier.”.

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