

## House Resolution 17

By: Representatives Turner of the 21<sup>st</sup> and Caldwell of the 20<sup>th</sup>

## A RESOLUTION

1 Ratifying the amendment to the Constitution of the United States regarding presidential  
2 succession and disability; and for other purposes.

3 WHEREAS, on July 6, 1965, the United States Congress proposed and offered to the states  
4 for ratification an amendment to the Constitution of the United States which provided:

5 "Section 1. In case of the removal of the President from office or of his death or  
6 resignation, the Vice President shall become President.

7 Section 2. Whenever there is a vacancy in the office of the Vice President, the President  
8 shall nominate a Vice President who shall take office upon confirmation by a majority vote  
9 of both Houses of Congress.

10 Section 3. Whenever the President transmits to the President pro tempore of the Senate and  
11 the Speaker of the House of Representatives his written declaration that he is unable to  
12 discharge the powers and duties of his office, and until he transmits to them a written  
13 declaration to the contrary, such powers and duties shall be discharged by the Vice  
14 President as Acting President.

15 Section 4. Whenever the Vice President and a majority of either the principal officers of  
16 the executive departments or of such other body as Congress may by law provide, transmit  
17 to the President pro tempore of the Senate and the Speaker of the House of Representatives  
18 their written declaration that the President is unable to discharge the powers and duties of  
19 his office, the Vice President shall immediately assume the powers and duties of the office  
20 as Acting President.

21 Thereafter, when the President transmits to the President pro tempore of the Senate and the  
22 Speaker of the House of Representatives his written declaration that no inability exists, he  
23 shall resume the powers and duties of his office unless the Vice President and a majority  
24 of either the principal officers of the executive department or of such other body as  
25 Congress may by law provide, transmit within four days to the President pro tempore of  
26 the Senate and the Speaker of the House of Representatives their written declaration that  
27 the President is unable to discharge the powers and duties of his office. Thereupon  
28 Congress shall decide the issue, assembling within forty-eight hours for that purpose if not

29 in session. If the Congress, within twenty-one days after receipt of the latter written  
30 declaration, or, if Congress is not in session, within twenty-one days after Congress is  
31 required to assemble, determines by two-thirds vote of both Houses that the President is  
32 unable to discharge the powers and duties of his office, the Vice President shall continue  
33 to discharge the same as Acting President; otherwise, the President shall resume the powers  
34 and duties of his office."; and

35 WHEREAS, while a sufficient number of states have ratified this proposed amendment to  
36 make this amendment effective and a part of the Constitution of the United States, this state  
37 has never ratified this amendment.

38 NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF  
39 GEORGIA that the aforesaid amendment to the Constitution of the United States is hereby  
40 ratified.

41 BE IT FURTHER RESOLVED that the Governor shall transmit a certified copy of this  
42 Resolution to the Archivist at the National Archives and Records Administration, the  
43 President of the United States Senate, to the Speaker of the United States House of  
44 Representatives, and to each member of the Congressional delegation from this state.