

HB 107 -- VACANCIES IN CERTAIN STATEWIDE OFFICES (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 bill requires special elections to be held in order to fill the positions of United States Senator, Lieutenant Governor, Attorney General, Secretary of State, State Auditor, and State Treasurer.

If there is a vacancy for any reason in the Office of Lieutenant Governor, Office of Secretary of State, or Office of State Treasurer, the Governor will take charge of these offices until a successor is elected at the special election. In the case of an impeachment trial for these offices, the Governor supervises these offices until a final determination is made and there is a reinstatement of the official to office or a special election.

If a vacancy occurs for any reason in the Office of United States Senator, the Office of Attorney General, or the Office of State Auditor, the Governor will appoint an acting senator, attorney general, or auditor to take charge of the office or hold the office in the case of the United States Senator until the special election is held. In the case of an impeachment in the Office of Attorney General or the Office of State Auditor, the acting attorney general or auditor will supervise the duties of the office until a final determination is made and there is a reinstatement of the official to office or a special election.

If a vacancy in the Office of United States Senator, Lieutenant Governor, Attorney General, Secretary of State, State Auditor, or State Treasurer occurs less than one year prior to the end of the term for the office, the Governor can appoint an individual to hold the office until the next regular election for that office is held and a successor is duly qualified.

FISCAL NOTE: Estimated Net Effect on General Revenue Fund of an income of \$0 or a cost of Greater than \$7,000,000 in FY 2012, FY 2013, and FY 2014. No impact on Other State Funds in FY 2012, FY 2013, and FY 2014.