



HB 0739

2003
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CHAMBER ACTION

The Committee on State Administration recommends the following:

Committee Substitute

Remove the entire bill and insert:

A bill to be entitled

An act relating to succession to the office of Governor;
amending s. 14.055, F.S.; revising provisions relating to
succession to the office of Governor; reenacting s.
14.056, F.S., relating to succession as Acting Governor,
to provide for the same amendments to succession in office
as provided for succession to the office of Governor;
providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 14.055, Florida Statutes, is amended to
read:

14.055 Succession to office of Governor.--

(1) Upon vacancy in the office of Governor, the Lieutenant
Governor shall become Governor. Upon vacancy in the office of
Governor and in the office of Lieutenant Governor, the order of
succession to the office of Governor shall be:

(a) Attorney General.



29 (b) Chief Financial Officer.
 30 (c) Commissioner of Agriculture.
 31 (d) President of the Senate.
 32 (e) Speaker of the House of Representatives.
 33 (f) President Pro Tempore of the Senate.
 34 (g) Speaker Pro Tempore of the House of Representatives.
 35 (h) Secretary of State.
 36 (2) The taking of oath of office of Governor by an
 37 individual specified in subsection (1) shall be held to
 38 constitute his or her resignation from the office vacated in
 39 order to assume the office of Governor ~~Secretary of State shall~~
 40 ~~become Governor; or if the office of Secretary of State be~~
 41 ~~vacant, then the Attorney General shall become Governor; or if~~
 42 ~~the office of Attorney General be vacant, then the Comptroller~~
 43 ~~shall become Governor; or if the office of Comptroller be~~
 44 ~~vacant, then the Treasurer shall become Governor; or if the~~
 45 ~~office of Treasurer be vacant, then the Commissioner of~~
 46 ~~Education shall become Governor; or if the office of~~
 47 ~~Commissioner of Education be vacant, then the Commissioner of~~
 48 ~~Agriculture shall become Governor. A successor under this~~
 49 ~~section shall serve for the remainder of the term and shall~~
 50 ~~receive all the rights, privileges, and emoluments of the~~
 51 ~~Governor.~~
 52 (3) In case a vacancy shall occur in the office of
 53 Governor and provision is not made herein for filling such
 54 vacancy, then the presiding officers ~~Speaker~~ of the House of of
 55 Representatives and ~~the President~~ of the Senate shall convene
 56 the Legislature by joint proclamation within 5 calendar ~~15~~ days



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57 | for the purpose of choosing a person to serve as Governor for
58 | the remainder of the term. A successor shall be elected by a
59 | majority vote of those present in a joint session of both
60 | houses.

61 | Section 2. For the purpose of incorporating the amendment
62 | to section 14.055, Florida Statutes, section 14.056, Florida
63 | Statutes, is reenacted to read:

64 | 14.056 Succession as Acting Governor.--Upon impeachment of
65 | the Governor and until completion of trial thereof, or during
66 | the Governor's physical or mental incapacity, the Lieutenant
67 | Governor shall become Acting Governor. Upon impeachment or
68 | physical or mental incapacity of an Acting Governor, or upon
69 | vacancy in the office of the person serving as Acting Governor,
70 | the powers and duties of Acting Governor shall devolve upon the
71 | same officer as in the case of vacancy in the office of
72 | Governor. A successor shall serve until the disability of either
73 | the Lieutenant Governor or Governor ceases. Incapacity and
74 | restoration of capacity to serve as Acting Governor shall be
75 | determined in the same manner as in making such determinations
76 | for Governor. In any case in which succession as Acting Governor
77 | is not provided herein, the Speaker of the House and the
78 | President of the Senate shall convene the Legislature by joint
79 | proclamation within 15 days for the purpose of choosing a person
80 | to serve as Acting Governor. Such person shall be elected by a
81 | majority vote in a joint session of both houses.

82 | Section 3. This act shall take effect upon becoming a law.
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