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MEMORANDUM

To: House Committee on Elections
From: Mike Heim, Revisor of Statutes Office
Date: March 7, 2025
Subject: SB 105-Summary

SB 105, as amended, would change the law governing the process for filling vacancies in the offices of U.S. Senator, State Treasurer, and Commissioner of Insurance. Currently, the Governor makes appointments to fill the vacancies in the offices noted above.

SB 105 establishes a process whereby either the Joint Committee on Vacancy Appointments, if the legislature is not in session, or the Legislature, after reviewing the Joint Committee's suggested nominees, would recommend up to three names from which the Governor would pick a replacement for the appropriate office.

A vacancy in either of the three offices would trigger the formation of a 12-member Joint Committee on Vacancies within 10 days of the vacancy.—See Sec. 2 of the bill. State congressional districts would have to be represented by the legislators chosen to serve on the Joint Committee.

This Joint Committee, after one or more hearings, would be required to come up with three names, from the same political party of the person holding the office prior to the vacancy for such office, which names would be submitted to the full Legislature, if in session, by introduction of joint resolutions which then would be considered by the full Legislature. If the Legislature is not in session, then the names would be submitted directly to the Governor.

If the vacancy occurs on or after May 1 in an even-numbered year, then such vacancy shall be filled by election at the election of representatives in congress held two years following the year in which such vacancy occurs. No person shall be appointed to the respective office until the appointment is certified by the Secretary of State.

