

NORTH CAROLINA GENERAL ASSEMBLY
SESSION

CHAPTER 77
HOUSE BILL 22

1 AN ACT RATIFYING A PROPOSED AMENDMENT TO THE CONSTITUTION OF THE
2 UNITED STATES OF AMERICA, RELATING TO SUCCESSION TO THE
3 PRESIDENCY AND VICE PRESIDENCY AND TO CASES WHERE THE PRESIDENT
4 IS UNABLE TO DISCHARGE THE POWERS AND DUTIES OF HIS OFFICE.
5

6 WHEREAS, the Senate and House of Representatives of the United States of America in
7 Congress assembled (two-thirds of each House concurring therein), propose the following
8 amendment to the Constitution of the United States of America, to become valid as part of the
9 said Constitution when ratified by the legislatures of the several states, in words as follows, to-
10 wit:

11 "Resolved by the Senate and House of Representatives of the United States of America in
12 Congress assembled (two-thirds of each House concurring therein). That the following Article
13 is proposed as an amendment to the Constitution of the United States, which shall be valid to
14 all intents and purposes as part of the Constitution when ratified by the legislatures of three-
15 fourths of the several states within seven years from the date of its submission by the Congress:

16 'Article

17 'Section 1. In case of the removal of the President from office or of his death or resignation,
18 the Vice President shall become President.

19 'Sec. 2. Whenever there is a vacancy in the office of the Vice President, the President shall
20 nominate a Vice President who shall take office upon confirmation by a majority vote of both
21 Houses of Congress.

22 'Sec. 3. Whenever the President transmits to the President pro tempore of the Senate and
23 the Speaker of the House of Representatives his written declaration that he is unable to
24 discharge the powers and duties of his office, and until he transmits to them a written
25 declaration to the contrary, such powers and duties shall be discharged by the Vice President as
26 Acting President.

27 'Sec. 4. Whenever the Vice President and a majority of either the principal officers of the
28 executive departments or of such other body as Congress may by law provide, transmit to the
29 President pro tempore of the Senate and the Speaker of the House of Representatives their
30 written declaration that the President is unable to discharge the powers and duties of his office,
31 the Vice President shall immediately assume the powers and duties of the office as Acting
32 President.

33 'Thereafter, when the President transmits to the President pro tempore of the Senate and the
34 Speaker of the House of Representatives his written declaration that no inability exists, he shall
35 resume the powers and duties of his office unless the Vice President and a majority of either the
36 principal officers of the executive department or of such other body as the Congress may by
37 law provide, transmit within four days to the President pro tempore of the Senate and the
38 Speaker of the House of Representatives their written declaration that the President is unable to
39 discharge the powers and duties of his office. Thereupon Congress shall decide the issue,
40 assembling within forty-eight hours for that purpose if not in session. If the Congress, within
41 twenty-one days after receipt of the latter written declaration, or, if Congress is not in session,
42 within twenty-one days after Congress is required to assemble, determines by two-thirds vote
43 of both Houses that the President is unable to discharge the powers and duties of his office, the

1 Vice President shall continue to discharge the same as acting President; otherwise, the
2 President shall resume the powers and duties of his office.' ": Now, therefore,

3
4 The General Assembly of North Carolina do enact:

5
6 **Section 1.** That the said proposed amendment to the Constitution of the United
7 States of America set out in the preamble to this Act be, and the same is, hereby ratified by the
8 General Assembly of the State of North Carolina.

9 **Sec. 2.** That certified copies of this preamble and Act be forwarded by the
10 Governor of this State to the Secretary of State at Washington, to the Presiding Officer of the
11 United States Senate, and to the Speaker of the House of Representatives of the United States.

12 **Sec. 3.** That this Act shall be in full force and effect from and after its ratification.
13 In the General Assembly read three times and ratified, this the 22nd day of March,
14 1967.