

1 AN ACT proposing to amend Sections 70, 72, 73, 74, 84, 85, 86, 87, 90, 91, and 95
 2 and repeal Section 82 of the Constitution of Kentucky relating to abolishing the Office of
 3 the Lieutenant Governor.

4 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

5 ➔Section 1. Beginning with the Gubernatorial Election of 2023, are you in favor
 6 of amending various sections of the Constitution of Kentucky as stated below and
 7 abolishing the Office of Lieutenant Governor, along with the Lieutenant Governor's rights
 8 and obligations thereto, and establishing the President of the Senate, or the Senate
 9 Minority Floor Leader if the Governor is of the same political party as that of the minority
 10 political party in the Senate, as the first line of succession to the Governor, and
 11 establishing the Speaker of the House, or the House of Representatives' Minority Floor
 12 Leader if the Governor is of the same political party as that of the minority political party
 13 in the House of Representatives, as the second line of succession to the Governor,
 14 granting to them the authority to exercise all the power and authority appertaining to the
 15 Office of Governor until another be duly elected and qualified, or the Governor shall be
 16 able to discharge the duties of his or her office, and removing the Attorney General and
 17 the Auditor of Public Accounts from the line of gubernatorial succession?

18 ➔Section 2. It is proposed that Section 70 of the Constitution of Kentucky be
 19 amended to read as follows:

20 The Governor ~~and Lieutenant Governor~~ shall be elected for the term of four years
 21 by the qualified voters of the State~~. They shall be elected jointly by the casting by each~~
 22 ~~voter of a single vote applicable to both offices~~, as shall be provided by law. The
 23 ***candidate***~~[slate of candidates]~~ having the highest number of votes cast ***for him or***
 24 ***her***~~[jointly for them]~~ for Governor ~~and Lieutenant Governor~~ shall be elected; but if two
 25 or more ***gubernatorial***~~[slates of]~~ candidates shall be equal and highest in votes, the
 26 election shall be determined by lot in such manner as the General Assembly may direct.

27 ➔Section 3. It is proposed that Section 72 of the Constitution of Kentucky be

1 amended to read as follows:

2 The Governor~~[and the Lieutenant Governor]~~ shall be at least thirty years of age,
3 and have been a citizen and resident~~[citizens and residents]~~ of Kentucky for at least six
4 years next preceding his or her~~[their]~~ election.~~[The duties of the Lieutenant Governor~~
5 ~~shall be prescribed by law, and he shall have such other duties as delegated by the~~
6 ~~Governor.]~~

7 ➔Section 4. It is proposed that Section 73 of the Constitution of Kentucky be
8 amended to read as follows:

9 The Governor~~[and the Lieutenant Governor]~~ shall commence the execution of the
10 duties of his or her office~~[their offices]~~ on the fifth Tuesday succeeding his or her~~[their]~~
11 election, and shall continue in the execution thereof until a successor shall have qualified.

12 ➔Section 5. It is proposed that Section 74 of the Constitution of Kentucky be
13 amended to read as follows:

14 The Governor~~[and Lieutenant Governor]~~ shall at stated times receive for the
15 performance of the duties of his or her office~~[their respective offices]~~ compensation to be
16 fixed by law.

17 ➔Section 6. It is proposed that Section 84 of the Constitution of Kentucky be
18 amended to read as follows:

19 Should the Governor be impeached and removed from office, die, refuse to qualify,
20 resign, certify by entry on his or her Journal that he or she is unable to discharge the
21 duties of his or her office, or be, from any cause, unable to discharge the duties of his or
22 her office, the President of the Senate, or the Senate Minority Floor Leader if the
23 Governor is of the same political party as that of the minority political party in the
24 Senate,~~Lieutenant Governor]~~ shall exercise all the power and authority appertaining to
25 the office of Governor until another be duly elected and qualified, or the Governor shall
26 be able to discharge the duties of his or her office. If the President of the Senate, or the
27 Senate Minority Floor Leader if the Governor is of the same political party as that of

1 the minority political party in the Senate, are unable to discharge the duties of the
2 Office of the Governor, from any cause, the Speaker of the House of Representatives,
3 or the House of Representatives' Minority Floor Leader if the Governor is of same
4 political party as that of the minority political party in the House of Representatives,
5 shall in like manner administer the government in place of the Governor. On the trial
6 of the Governor, the President of the Senate shall not preside over the proceedings, but
7 the Chief Justice of the Supreme Court shall preside during the trial.

8 If the Governor, due to physical or mental incapacitation, is unable to discharge the
9 duties of his or her office, the Attorney General may petition the Supreme Court to have
10 the Governor declared disabled. If the Supreme Court determines in a unanimous decision
11 that the Governor is unable to discharge the duties of his or her office, the Chief Justice
12 shall certify such disability to the Secretary of State who shall enter same on the Journal
13 of the Acts of the Governor, and the President of the Senate, or the Senate Minority
14 Floor Leader if the Governor is of the same political party as that of the minority
15 political party in the Senate, ~~Lieutenant Governor~~ shall assume the duties of the
16 Governor, and shall act as Governor until the Supreme Court determines that the
17 disability of the Governor has ceased to exist. If the President of the Senate, or the
18 Senate Minority Floor Leader if the Governor is of the same political party as that of
19 the minority political party in the Senate, are unable to discharge the duties of the
20 Office of the Governor, from any cause, the Speaker of the House of Representatives,
21 or the House of Representatives' Minority Floor Leader if the Governor is of the same
22 political party as that of the minority party in the House of Representatives, shall in
23 like manner administer the government in place of the Governor. Before the Governor
24 resumes his or her duties, the finding of the Court that the disability has ceased shall be
25 certified by the Chief Justice to the Secretary of State who shall enter such finding on the
26 Journal of the Acts of the Governor.

27 ➔Section 7. It is proposed that Section 85 of the Constitution of Kentucky be

1 amended to read as follows:

2 A President of the Senate shall be elected by each Senate as soon after its
3 organization as possible and as often as there is a vacancy in the office of President,
4 another President of the Senate shall be elected by the Senate, if in session. And if, during
5 the vacancy of the office of Governor, **the President of the Senate, or the Senate**
6 **Minority Floor Leader if the Governor is of the same political party as that of the**
7 **minority party in the Senate**~~[the Lieutenant Governor]~~ shall be impeached and removed
8 from office, refuse to qualify, resign, or die, the **Speaker of the House of**
9 **Representatives, or the House of Representatives' Minority Floor Leader if the**
10 **Governor is of same political party as that of the minority party in the House of**
11 **Representatives**~~[President of the Senate]~~ shall in like manner administer the government.

12 ➔Section 8. It is proposed that Section 86 of the Constitution of Kentucky be
13 amended to read as follows:

14 The President of the Senate shall receive for his **or her** services the same
15 compensation which shall, for the same period, be allowed to the Speaker of the House of
16 Representatives,~~[, and]~~ During the time **the President of the Senate, the Senate Minority**
17 **Floor Leader, the Speaker of the House of Representatives, or the House of**
18 **Representatives' Minority Floor Leader**~~[he]~~ administers the government as Governor, he
19 **or she** shall receive the same compensation which the Governor would have received had
20 he **or she** been employed in the duties of his **or her** office.

21 ➔Section 9. It is proposed that Section 87 of the Constitution of Kentucky be
22 amended to read as follows:

23 If the **President of the Senate, or the Senate Minority Floor Leader if the**
24 **Governor is of the same political party as that of the minority party in the**
25 **Senate**~~[Lieutenant Governor]~~ shall be called upon to administer the government in place
26 of the Governor, and shall, while in such administration, resign, or die during the recess
27 of the General Assembly,~~[if there be no President of the Senate, it shall be the duty of the~~

1 ~~Attorney General, for the time being, to convene the Senate for the purpose of choosing a~~
 2 ~~President; and until a President is chosen,] the Speaker of the House of Representatives~~
 3 ~~or the House of Representatives' Minority Floor Leader if the Governor is of the same~~
 4 ~~political party as that of the minority party in the House of Representatives,~~ [Attorney
 5 General] shall administer the government in place of the Governor. [If there be no
 6 Attorney General to perform the duties devolved upon him by this section, then the
 7 Auditor, for the time being, shall convene the Senate for the purpose of choosing a
 8 President, and shall administer the government until a President is chosen.]

9 ➔Section 10. It is proposed that Section 90 of the Constitution of Kentucky be
 10 amended to read as follows:

11 A contested election [elections] for Governor [and Lieutenant Governor] shall be
 12 determined by both Houses of the General Assembly, according to such regulations as
 13 may be established by law.

14 ➔Section 11. It is proposed that Section 91 of the Constitution of Kentucky be
 15 amended to read as follows:

16 A Treasurer, Auditor of Public Accounts, Commissioner of Agriculture, Labor and
 17 Statistics, Secretary of State, and Attorney-General, shall be elected by the qualified
 18 voters of the State at the same time the Governor is [and Lieutenant Governor are] elected,
 19 for the term of four years, each of whom shall be at least thirty years of age at the time of
 20 his or her election, and shall have been a resident citizen of the State at least two years
 21 next before his or her election. The duties of all these officers shall be such as may be
 22 prescribed by law, and the Secretary of State shall keep a fair register of and attest all the
 23 official acts of the Governor, and shall, when required, lay the same and all papers,
 24 minutes and vouchers relative thereto before either House of the General Assembly. The
 25 officers named in this section shall enter upon the discharge of their duties the first
 26 Monday in January after their election, and shall hold their offices until their successors
 27 are elected and qualified.

1 ➔Section 12. It is proposed that Section 95 of the Constitution of Kentucky be
2 amended to read as follows:

3 The election under this Constitution for Governor,~~[-Lieutenant Governor,]~~
4 Treasurer, Auditor of Public Accounts, Attorney General, Secretary of State, and
5 Commissioner of Agriculture, Labor and Statistics, shall be held on the first Tuesday after
6 the first Monday in November, eighteen hundred and ninety-five, and the same day every
7 four years thereafter.

8 ➔Section 13. It is proposed that the following section of the Constitution of
9 Kentucky be repealed:
10 Section 82 Succession of Lieutenant Governor.

11 ➔Section 14. It is further proposed as a part of this amendment and as a schedule
12 of transitional provisions, for the purposes of this amendment, and any other provision of
13 the Constitution of Kentucky notwithstanding:

14 (1) The candidate for Governor that receives a certificate of election for the Office
15 of the Governor following the election in November 2023 shall be subject to the
16 provisions of this proposed amendment. The provisions of this proposed amendment shall
17 not apply to terms of office served prior to January 1, 2024.

18 (2) No candidate or office holder, other than those listed in subsection (1) of this
19 section, shall have his or her term of office affected by this proposed amendment.

20 ➔Section 15. This amendment shall be submitted to the voters of the
21 Commonwealth for their ratification or rejection at the time and in the manner provided
22 for under Sections 256 and 257 of the Constitution, KRS 118.415, and under Sections 16
23 and 17 of this Act.

24 ➔Section 16. Notwithstanding any language in KRS 118.415 to the contrary, the
25 Secretary of State shall cause the entirety of the question in Section 1 of this Act and the
26 entirety of the proposed amendment to the Constitution of Kentucky contained in
27 Sections 2 to 13 of this Act to be published at least one time in a newspaper of general

1 circulation published in this state, and shall also cause to be published at the same time
2 and in the same manner the fact that the amendment will be submitted to the voters for
3 their acceptance or rejection at the next regular election at which members of the General
4 Assembly are to be voted for. The publication required by this section and KRS 118.415
5 shall be made no later than the first Tuesday in August preceding the election at which the
6 amendment is to be voted on.

7 ➔Section 17. Notwithstanding any language in KRS 118.415 to the contrary, the
8 Secretary of State, not later than the second Monday after the second Tuesday in August
9 preceding the next regular election at which members of the General Assembly are to be
10 chosen in a year in which there is not an election for President and Vice President of the
11 United States, or not later than the Thursday after the first Tuesday in September
12 preceding a regular election in a year in which there is an election for President and Vice
13 President of the United States, shall certify the entirety of the question in Section 1 of this
14 Act and the entirety of the proposed amendment to the Constitution of Kentucky
15 contained in Sections 2 to 13 of this Act to the county clerk of each county, and the
16 county clerk shall have the entirety of the amendment, as so certified, indicated on the
17 ballots provided to the voters in paper or electronic form as applicable to the voting
18 machines in use in each county or precinct.