



General Assembly

February Session, 2026

**Substitute Bill No. 5219**



**AN ACT CONCERNING THE ORDER OF GUBERNATORIAL  
SUCCESSION UNDER CERTAIN PERMANENT AND TEMPORARY  
CIRCUMSTANCES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2026*) (a) In case of the death,  
2 resignation, refusal to serve or removal from the office of Governor and:

3 (1) There is a vacancy in the office of Lieutenant Governor such that  
4 no person is able to succeed to the office of Governor in accordance with  
5 subsection a. of article twenty-second of the amendments to the  
6 Constitution of the state, and there is a vacancy in the office of president  
7 pro tempore of the Senate due to the Senate not electing one of its  
8 members president pro tempore in accordance with section 19 or 20 of  
9 article fourth of the Constitution of the state such that no person is able  
10 to succeed to the office of Lieutenant Governor in accordance with  
11 section 19 of article fourth of the Constitution of the state, the speaker of  
12 the House of Representatives shall, upon taking the oath of office of  
13 Governor, be Governor of the state until another is chosen at the next  
14 regular election for Governor and is duly qualified;

15 (2) In addition to the vacancies set forth in subdivision (1) of this  
16 subsection, (A) there is a vacancy in the office of speaker of the House  
17 of Representatives, (B) the speaker of the House of Representatives  
18 refuses to take the oath of office of Governor or is unable to take such

19 oath due to absence from the state, or (C) the speaker of the House of  
20 Representatives is ineligible for the office of Governor or otherwise  
21 unable to serve in such capacity, the Treasurer shall, upon taking the  
22 oath of office of Governor, be Governor of the state until another is  
23 chosen at the next regular election for Governor and is duly qualified;

24 (3) In addition to the vacancies set forth in subdivisions (1) and (2) of  
25 this subsection and any refusal or absence described in subdivision (2)  
26 of this subsection, (A) there is a vacancy in the office of Treasurer, (B)  
27 the Treasurer refuses to take the oath of office of Governor or is unable  
28 to take such oath due to absence from the state, or (C) the Treasurer is  
29 ineligible for the office of Governor or otherwise unable to serve in such  
30 capacity, the Secretary of the State shall, upon taking the oath of office  
31 of Governor, be Governor of the state until another is chosen at the next  
32 regular election for Governor and is duly qualified;

33 (4) In addition to the vacancies set forth in subdivisions (1) to (3),  
34 inclusive, of this subsection and any refusals or absences described in  
35 subdivisions (2) and (3) of this subsection, (A) there is a vacancy in the  
36 office of Secretary of the State, (B) the Secretary of the State refuses to  
37 take the oath of office of Governor or is unable to take such oath due to  
38 absence from the state, or (C) the Secretary of the State is ineligible for  
39 the office of Governor or otherwise unable to serve in such capacity, the  
40 Comptroller shall, upon taking the oath of office of Governor, be  
41 Governor of the state until another is chosen at the next regular election  
42 for Governor and is duly qualified;

43 (5) In addition to the vacancies set forth in subdivisions (1) to (4),  
44 inclusive, of this subsection and any refusals or absences described in  
45 subdivisions (2) to (4), inclusive, of this subsection, (A) there is a vacancy  
46 in the office of Comptroller, (B) the Comptroller refuses to take the oath  
47 of office of Governor or is unable to take such oath due to absence from  
48 the state, or (C) the Comptroller is ineligible for the office of Governor  
49 or otherwise unable to serve in such capacity, the Attorney General  
50 shall, upon taking the oath of office of Governor, be Governor of the  
51 state until another is chosen at the next regular election for Governor

52 and is duly qualified;

53 (6) In addition to the vacancies set forth in subdivisions (1) to (5),  
54 inclusive, of this subsection and any refusals or absences described in  
55 subdivisions (2) to (5), inclusive, of this subsection, (A) there is a vacancy  
56 in the office of Attorney General, (B) the Attorney General refuses to  
57 take the oath of office of Governor or is unable to take such oath due to  
58 absence from the state, or (C) the Attorney General is ineligible for the  
59 office of Governor or otherwise unable to serve in such capacity, the  
60 majority leader of the Senate shall, upon taking the oath of office of  
61 Governor, be Governor of the state until another is chosen at the next  
62 regular election for Governor and is duly qualified; and

63 (7) In addition to the vacancies set forth in subdivisions (1) to (6),  
64 inclusive, of this subsection and any refusals or absences described in  
65 subdivisions (2) to (6), inclusive, of this subsection (A) there is a vacancy  
66 in the office of majority leader of the Senate, (B) the majority leader of  
67 the Senate refuses to take the oath of office of Governor or is unable to  
68 take such oath due to absence from the state, or (C) the majority leader  
69 of the Senate is ineligible for the office of Governor or otherwise unable  
70 to serve in such capacity, the majority leader of the House of  
71 Representatives shall, upon taking the oath of office of Governor, be  
72 Governor of the state until another is chosen at the next regular election  
73 for Governor and is duly qualified.

74 (b) In case of the impeachment of the Governor or of the Governor's  
75 absence from the state, and:

76 (1) There is a vacancy in the office of Lieutenant Governor such that  
77 no person is able to act as Governor in accordance with subsection b. of  
78 article twenty-second of the amendments to the Constitution of the  
79 state, and there is a vacancy in the office of president pro tempore of the  
80 Senate due to the Senate not electing one of its members president pro  
81 tempore in accordance with section 19 or 20 of article fourth of the  
82 Constitution of the state such that no person is able to succeed to the  
83 office of Lieutenant Governor in accordance with section 19 of article

84 fourth of the Constitution of the state, the speaker of the House of  
85 Representatives shall exercise the powers and authority and perform the  
86 duties appertaining to the office of Governor until, if the Governor has  
87 been impeached, the Governor has been acquitted or, if absent, the  
88 Governor has returned;

89 (2) In addition to the vacancies set forth in subdivision (1) of this  
90 subsection, (A) there is a vacancy in the office of speaker of the House  
91 of Representatives, (B) the speaker of the House of Representatives  
92 refuses to exercise the powers and authority and perform the duties  
93 appertaining to the office of Governor or is unable to so exercise and  
94 perform due to absence from the state, or (C) the speaker of the House  
95 of Representatives is ineligible for the office of Governor or otherwise  
96 unable to serve in such capacity, the Treasurer shall exercise the powers  
97 and authority and perform the duties appertaining to the office of  
98 Governor until, if the Governor has been impeached, the Governor has  
99 been acquitted or, if absent, the Governor has returned;

100 (3) In addition to the vacancies set forth in subdivisions (1) and (2) of  
101 this subsection and any refusal or absence described in subdivision (2)  
102 of this subsection, (A) there is a vacancy in the office of Treasurer, (B)  
103 the Treasurer refuses to exercise the powers and authority and perform  
104 the duties appertaining to the office of Governor or is unable to so  
105 exercise and perform due to absence from the state, or (C) the Treasurer  
106 is ineligible for the office of Governor or otherwise unable to serve in  
107 such capacity, the Secretary of the State shall exercise the powers and  
108 authority and perform the duties appertaining to the office of Governor  
109 until, if the Governor has been impeached, the Governor has been  
110 acquitted or, if absent, the Governor has returned;

111 (4) In addition to the vacancies set forth in subdivisions (1) to (3),  
112 inclusive, of this subsection and any refusals or absences described in  
113 subdivisions (2) and (3) of this subsection, (A) there is a vacancy in the  
114 office of Secretary of the State, (B) the Secretary of the State refuses to  
115 exercise the powers and authority and perform the duties appertaining  
116 to the office of Governor or is unable to so exercise and perform due to

117 absence from the state, or (C) the Secretary of the State is ineligible for  
118 the office of Governor or otherwise unable to serve in such capacity, the  
119 Comptroller shall exercise the powers and authority and perform the  
120 duties appertaining to the office of Governor until, if the Governor has  
121 been impeached, the Governor has been acquitted or, if absent, the  
122 Governor has returned;

123 (5) In addition to the vacancies set forth in subdivisions (1) to (4),  
124 inclusive, of this subsection and any refusals or absences described in  
125 subdivisions (2) to (4), inclusive, of this subsection, (A) there is a vacancy  
126 in the office of Comptroller, (B) the Comptroller refuses to exercise the  
127 powers and authority and perform the duties appertaining to the office  
128 of Governor or is unable to so exercise and perform due to absence from  
129 the state, or (C) the Comptroller is ineligible for the office of Governor  
130 or otherwise unable to serve in such capacity, the Attorney General shall  
131 exercise the powers and authority and perform the duties appertaining  
132 to the office of Governor until, if the Governor has been impeached, the  
133 Governor has been acquitted or, if absent, the Governor has returned;

134 (6) In addition to the vacancies set forth in subdivisions (1) to (5),  
135 inclusive, of this subsection and any refusals or absences described in  
136 subdivisions (2) to (5), inclusive, of this subsection, (A) there is a vacancy  
137 in the office of Attorney General, (B) the Attorney General refuses to  
138 exercise the powers and authority and perform the duties appertaining  
139 to the office of Governor or is unable to so exercise and perform due to  
140 absence from the state, or (C) the Attorney General is ineligible for the  
141 office of Governor or otherwise unable to serve in such capacity, the  
142 majority leader of the Senate shall exercise the powers and authority and  
143 perform the duties appertaining to the office of Governor until, if the  
144 Governor has been impeached, the Governor has been acquitted or, if  
145 absent, the Governor has returned; and

146 (7) In addition to the vacancies set forth in subdivisions (1) to (6),  
147 inclusive, of this subsection and any refusals or absences described in  
148 subdivisions (2) to (6), inclusive, of this subsection, (A) there is a vacancy  
149 in the office of majority leader of the Senate, (B) the majority leader of

150 the Senate refuses to exercise the powers and authority and perform the  
151 duties appertaining to the office of Governor or is unable to so exercise  
152 and perform due to absence from the state, or (C) the majority leader of  
153 the Senate is ineligible for the office of Governor or otherwise unable to  
154 serve in such capacity, the majority leader of the House of  
155 Representatives shall exercise the powers and authority and perform the  
156 duties appertaining to the office of Governor until, if the Governor has  
157 been impeached, the Governor has been acquitted or, if absent, the  
158 Governor has returned.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2026	New section

**Statement of Legislative Commissioners:**

In Subsec. (a)(7), "of this subsection" was added before "(A) there is a vacancy", for consistency with standard drafting conventions.

**GAE**      *Joint Favorable Subst. -LCO*