

108TH CONGRESS
2D SESSION

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To authorize the States to implement such mechanisms as are necessary in a time of national crisis to ensure the continuity of the Senate in the event that a quorum of the Senate is not present due to the inability of the members of the Senate to discharge the powers and duties of their office.

IN THE SENATE OF THE UNITED STATES

JANUARY 27, 2004

Mr. CORNYN (for himself, Mr. DODD, and Mr. LOTT) introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

A BILL

To authorize the States to implement such mechanisms as are necessary in a time of national crisis to ensure the continuity of the Senate in the event that a quorum of the Senate is not present due to the inability of the members of the Senate to discharge the powers and duties of their office.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Continuity of the Sen-
5 ate Act of 2004”.

1 **SEC. 2. INCAPACITIES IN THE SENATE FOLLOWING A CATA-**
2 **STROPHIC INCIDENT.**

3 (a) IN GENERAL.—In the event that the Senate as-
4 certains that a quorum of the Senate is not present, the
5 Majority Leader and Minority Leader of the Senate, or
6 their designees, may jointly determine that such absence
7 of a quorum is caused by the inability of the members
8 of the Senate to discharge the powers and duties of the
9 office during a time of national crisis.

10 (b) STATE LAWS.—The legislature of each State may
11 enact such laws as the State determines necessary declar-
12 ing who shall serve in the place of members that are deter-
13 mined to be unable to discharge the powers and duties
14 of the office under subsection (a).

15 **SEC. 3. LIMITATION.**

16 Nothing in this Act shall limit the authority of any
17 State under the Constitution of the United States to fill
18 a vacancy in the Senate.

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