

91ST CONGRESS
2ND SESSION

H. R. 5

To establish the Presidential line of succession

IN THE HOUSE OF REPRESENTATIVES OF THE UNITED
STATES

January 25th, 2024

Speaker George Godsent (for himself) has introduced the following bill.

AN ACT

To establish the Presidential line of succession

*Be it enacted by the House of Representatives and the Senate of
the United States in Congress Assembled.*

SEC. 1—SHORT TITLE

- (a) This piece of legislation shall be referred to as the “Presidential Succession Act”.

SEC. 2—GENERAL PROVISIONS

- (a) Any clause, subsection or part of any act, joint resolution, memorandum or codified law that conflicts with this act shall be deemed null and void.
- (b) This act shall be servable, in which, if any provision of this act is found unconstitutional, the rest of the act shall be in full effect unless also found unconstitutional.
- (c) This act shall go into effect immediately.

SEC. 3—LINE OF SUCCESSION

- (a) (1) If, by reason of resignation, removal from office, inability, failure to qualify, refusal to claim the office of President, or real life death, there is neither a President nor Vice President to discharge the powers and duties of the office of President, then the Speaker of the House of Representatives shall, upon his resignation as Speaker and as Representative in Congress, become President.
(2) The same shall apply in the case of the resignation, removal from office, inability or real life death of an individual that has become President under this section by claiming the presidency.
- (b) If there is no Speaker to become President, or the Speaker fails to qualify as President after having given the time window provided in subsection (g) of this section, or if the Speaker refuses to become President, then the President pro tempore of the Senate shall, upon his resignation as President pro tempore and as Senator, become President.
- (c) In the same manner as the Speaker and President pro tempore may become President under this section, if there be no Speaker or President pro tempore in office, or if they refuse to take the office of President, then the following heads of departments shall become President upon their resignation as heads of departments:
 - (i) Secretary of State;
 - (ii) Secretary of the Treasury;
 - (iii) Secretary of Defense;
 - (iv) Attorney General;
 - (v) Secretary of the Interior;
 - (vi) Secretary of Agriculture;

- (vii) Secretary of Commerce and Labor, or, in the absence of a mixed department, the Secretary of Commerce and then the Secretary of Labor in this order;
 - (viii) Secretary of Health and Human Services;
 - (ix) Secretary of Housing and Urban Development;
 - (x) Secretary of Transportation;
 - (xi) Secretary of Energy;
 - (xii) Secretary of Education;
 - (xiii) Secretary of Veterans' Affairs;
 - (xiv) Secretary of Homeland Security.
- (d) An individual becoming President under subsection (a), subsection (b) or subsection (c) of this section shall continue to discharge the Presidency until the expiration of the then current Presidential term.
 - (e) The creation of new federal executive departments shall automatically add the heads of said departments in the presidential line of succession, in the order in which they have been created, after the Secretary of Homeland Security.
 - (f) In the absence of office-holders for either of the heads of departments in line to succeed the presidency, or if they fail to qualify as President, or if they refuse to succeed as President, the next person in the line of succession shall have the right and privilege to become President, under the same circumstances.
 - (g) Upon the vacancy of the Office of President of the United States, the first qualified successor, according to this Act, shall have 72 hours to make a decision on becoming President and ensuring that they abide by the regulations and qualifications set by the Constitution. The same 72-hours window to decide shall apply to every qualified successor, when they become the official first successor.
 - (h) Successors to the Presidency can refuse to become President under the provisions of this Act. Their refusal shall result in the next first qualified successor to decide whether they will become President, in accordance with this section, including subsection (g) and the provided time window to make such a decision.