

118TH CONGRESS
1ST SESSION

H. R. 4491

To establish the Twentieth Amendment Section Four Panel to recommend to Congress model legislation to provide for an appropriate process to resolve any vacancy created by the death of a candidate in a contingent presidential or vice-presidential election.

IN THE HOUSE OF REPRESENTATIVES

JULY 6, 2023

Mr. JOHNSON of Louisiana introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To establish the Twentieth Amendment Section Four Panel to recommend to Congress model legislation to provide for an appropriate process to resolve any vacancy created by the death of a candidate in a contingent presidential or vice-presidential election.

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 “Solving an Overlooked
5 Loophole in Votes for Executives (SOLVE) Act”.

1 **SEC. 2. ESTABLISHMENT OF PANEL OF CONSTITUTIONAL**
2 **EXPERTS.**

3 (a) ESTABLISHMENT.—There is established the
4 “Twentieth Amendment Section Four Panel” (in this sec-
5 tion referred to as the “Panel”).

6 (b) MEMBERSHIP.—

7 (1) IN GENERAL.—The Panel shall be composed
8 of 6 constitutional experts, of whom—

9 (A) 1 shall be appointed by the majority
10 leader of the Senate;

11 (B) 1 shall be appointed by the minority
12 leader of the Senate;

13 (C) 1 shall be appointed jointly by the ma-
14 jority and minority leader of the Senate;

15 (D) 1 shall be appointed by the Speaker of
16 the House of Representatives;

17 (E) 1 shall be appointed by minority leader
18 of the House of Representatives; and

19 (F) 1 shall be appointed jointly by the
20 Speaker of the House of Representatives and
21 the minority leader of the House of Representa-
22 tives.

23 (2) DATE.—The appointments of the members
24 of the Panel shall be made not later than 180 days
25 after the date of enactment of this Act.

1 (3) VACANCY.—Any vacancy occurring in the
2 membership of the Panel shall be filled in the same
3 manner in which the original appointment was
4 made.

5 (4) CHAIRPERSON AND VICE CHAIRPERSON.—
6 The Panel shall select a Chairperson and Vice
7 Chairperson from among the members of the Panel.

8 (c) PURPOSE.—The purpose of the Panel shall be to
9 recommend to Congress model legislation, which shall pro-
10 vide for an appropriate process, pursuant to section 4 of
11 the Twentieth Amendment to the United States Constitu-
12 tion, to resolve any vacancy created by the death of a can-
13 didate in a contingent presidential or vice-presidential
14 election.

15 (d) REPORTS.—

16 (1) INITIAL REPORT.—Not later than 1 year
17 after the date on which all of the appointments have
18 been made under subsection (b)(2), the Panel shall
19 submit to Congress an interim report containing the
20 Panel’s findings, conclusions, and recommendations.

21 (2) FINAL REPORT.—Not later than 6 months
22 after the submission of the interim report under
23 paragraph (1), the Panel shall submit to Congress a
24 final report containing the Panel’s findings, conclu-
25 sions, and recommendations.

1 (e) MEETINGS; INFORMATION.—

2 (1) IN GENERAL.—Meetings of the Panel shall
3 be held at the Law Library of Congress.

4 (2) INFORMATION.—The Panel may secure
5 from the Law Library of Congress such information
6 as the Panel considers necessary to carry out the
7 provisions of this section.

8 (f) FUNDS.—

9 (1) COMPENSATION OF MEMBERS.—Members of
10 the Panel shall receive no compensation.

11 (2) OTHER FUNDING.—No amounts shall be
12 appropriated for the purposes of this section, except
13 for any amounts strictly necessary for the Law Li-
14 brary of Congress to execute its responsibilities
15 under subsection (e).

16 (g) TERMINATION.—

17 (1) IN GENERAL.—The panel established under
18 subsection (a) shall terminate 90 days after the date
19 on which the panel submits the final report required
20 under subsection (d)(2).

21 (2) RECORDS.—Upon termination of the panel,
22 all of its records shall become the records of the Sec-
23 retary of the Senate and the Clerk of the House of
24 Representatives.

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