



2023-2024 General Assembly

SENATE BILL 382: Disaster Relief-3/Budget/Various Law Changes, Sec. 3B.1: Modify Certain Procedures Related to Appointments

Committee:		Date:	December 19, 2024
Introduced by:		Prepared by:	Brad Krehely
Analysis of:	Sec. 3B.1 of S.L. 2024-57		Staff Attorney

OVERVIEW: Section 3B.1 of S.L. 2024-57 requires the Governor to execute vacancy appointments for offices appointed by the General Assembly upon the recommendation of the Speaker of the House of Representatives, the President Pro Tempore of the Senate, or the President of the Senate within 15 days of receipt of the written recommendation from the recommending official during periods when the General Assembly is not in session. It also clarifies that the Senate's advice and consent to the Governor for a specific appointment is limited to the Governor's current term of office unless certain conditions are met.

This bill was vetoed by the Governor on November 26, 2024, and the veto was overridden by the General Assembly on December 11, 2024. This section became effective December 11, 2024, and applies to appointments made on or after that date.

BILL ANALYSIS:

For offices appointed by the General Assembly upon the recommendation of the Speaker of the House of Representatives, the President Pro Tempore of the Senate, or the President of the Senate, the Governor executes vacancy appointments following consultation with the recommending officials during periods when the General Assembly is not in session.

Section 3B.1(a) requires the Governor to execute those vacancy appointments within 15 days of receipt of the written recommendation from the recommending official.

The Senate provides advice and consent to the Governor on certain appointments.

Section 3B.1(b) clarifies that this advice and consent for a specific appointment is limited to the Governor's current term of office, unless all of the following are met: (i) the Governor is elected to a second term, (ii) the appointee who previously received advice and consent remains in the same position in the second term, and (iii) the Senate does not enact a resolution disapproving the appointee within the first 90 days of the legislative session in the year following the Governor's reelection.

EFFECTIVE DATE: This bill was vetoed by the Governor on November 26, 2024, and the veto was overridden by the General Assembly on December 11, 2024. This section became effective December 11, 2024, and applies to appointments made on or after that date.

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