

voter of the State for five years next immediately preceding his election.

¹ SEC. 6. (a) If the Governor-elect is disqualified, resigns, or dies, the Lieutenant Governor-elect shall become Governor for the full term. If the Governor-elect fails to assume office for any other reason, the newly elected Lieutenant Governor shall become Lieutenant Governor and shall serve as acting Governor until the Governor-elect assumes office or until the office becomes vacant.

(b) The Lieutenant Governor shall serve as acting Governor when notified in writing by the Governor that the Governor will be temporarily unable to perform the duties of his office. The Lieutenant Governor also shall serve as acting Governor when the Governor is disabled but is unable to communicate to the Lieutenant Governor the fact of his inability to perform the duties of his office. In either event the Lieutenant Governor shall serve as acting Governor until notified in writing by the Governor that he is able to resume the duties of his office or until the office becomes vacant.

(c) The General Assembly, by the affirmative vote of three-fifths of all its members in joint session, may adopt a resolution declaring that the Governor or Lieutenant Governor is unable by reason of physical or mental disability to perform the duties of his office. When action is undertaken pursuant to this subsection of the Constitution, the officer who concludes that the other officer is unable, by reason of disability to perform the duties of his office shall have the power to call the General Assembly into Joint Session. The resolution, if adopted, shall be delivered to the Court of Appeals, which then shall have exclusive jurisdiction to determine whether that officer is unable by reason of the disability to perform the duties of his office. If the Court of Appeals determines that such officer is unable to discharge the duties of his office by reason of a permanent disability, the office shall be vacant. If the Court of Appeals determines that such officer is unable to discharge the duties of his office by reason of a temporary disability, it shall declare the office to be vacant during the time of the disability and the Court shall have continuing jurisdiction to determine when the disability has terminated. If the General Assembly and the Court of Appeals, acting in the same manner as described above, determine that the Governor-elect or Lieutenant Governor-elect is

¹ Thus amended by Chapter 532, Acts of 1970, ratified November 3, 1970.