**State Constitutions: Executive Branches**

Below are the excerpts of five state constitutions’ executive branches.[[1]](#footnote-1)

**Arizona**

**Article V. Executive Department.**

**Section 1. Executive department; state officers; terms; election; residence and office at seat of government; duties**

A. The executive department shall consist of the governor, secretary of state, state treasurer, attorney general, and superintendent of public instruction, each of whom shall hold office for a term of four years... No member of the executive department shall hold that office for more than two consecutive terms….No member of the executive department after serving the maximum number of terms, which shall include any part of a term served, may serve in the same office until out of office for no less than one full term.

B. The person having the highest number of the votes cast for the office voted for shall be elected….

**Section 7. Presentation of bills to governor; approval; veto; filing with secretary of state; veto of items in appropriation bills; inapplication of veto power to referred bills**

Every bill passed by the legislature, before it becomes a law, shall be presented to the governor. If he approve, he shall sign it, and it shall become a law as provided in this constitution. But if he disapprove, he shall return it, with his objections, to the house in which it originated, which shall enter the objections at large on the journal. If after reconsideration it again passes both houses by an aye and nay vote on roll call of two-thirds of the members elected to each house, it shall become a law as provided in this constitution, notwithstanding the governor's objections. This section shall not apply to emergency measures as referred to in section 1 of the article on the legislative department.

If any bill be not returned within five days after it shall have been presented to the governor (Sunday excepted) such bill shall become a law in like manner as if he had signed it…

 If any bill presented to the governor contains several items of appropriations of money, he may object to one or more of such items, while approving other portions of the bill. In such case he shall append to the bill at the time of signing it, a statement of the item or items which he declines to approve, together with his reasons therefor, and such item or items shall not take effect unless passed over the governor's objections as in this section provided.

The veto power of the governor shall not extend to any bill passed by the legislature and referred to the people for adoption or rejection.

**Indiana**

**ARTICLE 5. *Executive****.*

**Section 1.**

The executive power of the State shall be vested in a Governor. He shall hold his office during four years, and shall not be eligible more than eight years in any period of twelve years.

**Section 14.**

(a) Every bill which shall have passed the General Assembly shall be presented to the Governor. The Governor shall have seven days after the day of presentment to act upon such bill as follows:

(1) He may sign it, in which event it shall become a law.

(2) He may veto it:

1. In the event of a veto while the General Assembly is in session, he shall return such bill, with his objections, within seven days of presentment…
2. If the Governor returns the bill …. The bill must be reconsidered and voted upon… If, after such reconsideration and vote, a majority of all the members elected to [each] House shall approve the bill …. it shall be a law.
3. …. If, after voting, either House fails to approve the bill within this time, the veto is sustained.

(3) He may refuse to sign or veto such bill in which event it shall become a law without his signature on the eighth day after presentment to the Governor.

**ARTICLE 6. *Administrative.***

**Section 1.** There shall be elected, by the voters of the state, a Secretary, an Auditor and a Treasurer of State, who shall, severally, hold their offices for four years. They shall perform such duties as may be enjoined by law; and no person shall be eligible to either of said offices, more than eight years in any period of twelve years.

**[Attorney General]:**

*[There is no Attorney general provided for in the Indiana Constitution; instead, it is an office created by the state’s laws. The relevant provision holds]*

**IC 4-6-1-2 Creation of office; election; time of taking office**

Sec. 2. There is created the office of attorney general for the state to be administered by an attorney general who shall be elected …. by the voters of the state. The term of office of the attorney general is four (4) years…..

**New Hampshire**

**[Art.] 42. [Election of Governor, Return of Votes; Electors; If No Choice, Legislature to Elect One of Two Highest Candidates; Qualifications for Governor.]** The governor shall be chosen biennially in the month of November…

**[Art.] 44. [Veto to Bills.]** Every bill which shall have passed both houses of the general court, shall, before it becomes a law, be presented to the governor, if he approves, he shall sign it, but if not, he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it; if after such reconsideration, two thirds of that house shall agree to pass the bill, it shall be sent, together with such objections, to the other house, by which it shall likewise be reconsidered, and, if approved by two thirds of that house, it shall become a law.

…. If any bill shall not be returned by the governor within five days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it unless the legislature, by their adjournment, prevent its return, in which case it shall not be a law.

**[Art.] 46. [Nomination and Appointment of Officers.]** All judicial officers, the attorney general, and all officers of the navy, and general and field officers of the militia, shall be nominated and appointed by the governor and council; and every such nomination shall be made at least three days prior to such appointment; and no appointment shall take place, unless a majority of the council agree thereto.

**[Art.] 67. [Election of Secretary and Treasurer.]** The …. Treasurer shall be chosen by joint ballot of the Senators and Representatives assembled in one room.

**Texas**

**ARTICLE IV. EXECUTIVE DEPARTMENT**

**Sec. 1. OFFICERS CONSTITUTING EXECUTIVE DEPARTMENT.** The Executive Department of the State shall consist of a Governor, who shall be the Chief Executive Officer of the State, a Lieutenant Governor, Secretary of State, Comptroller of Public Accounts, Commissioner of the General Land Office, and Attorney General. *[eds. note; in Texas the comptroller fulfils the roles most states give to a treasurer.]*

**Sec. 2. ELECTION OF OFFICERS OF EXECUTIVE DEPARTMENT.** All the above officers of the Executive Department (except Secretary of State) shall be elected by the qualified voters of the State at the time and places of election for members of the Legislature…

**Sec. 4. INSTALLATION OF GOVERNOR; TERM; ELIGIBILITY.** The Governor… shall hold his office for the term of four years…

**Sec. 14. APPROVAL OR VETO OF BILLS; RETURN AND RECONSIDERATION; FAILURE TO RETURN; VETO OF ITEMS OF APPROPRIATION.** Every bill which shall have passed both houses of the Legislature shall be presented to the Governor for his approval. If he approve he shall sign it; but if he disapprove it, he shall return it, with his objections….

if approved by two-thirds of the members of [both houses], it shall become a law…

If any bill shall not be returned by the Governor with his objections within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it…

 If any bill presented to the Governor contains several items of appropriation he may object to one or more of such items, and approve the other portion of the bill. In such case he shall append to the bill, at the time of signing it, a statement of the items to which he objects, and no item so objected to shall take effect.

 If the Legislature be in session, he shall transmit to the House in which the bill originated a copy of such statement and the items objected to shall be separately considered. If, on reconsideration, one or more of such items be approved by two-thirds of the members present of each House, the same shall be part of the law, notwithstanding the objections of the Governor. …..

**Sec. 23. TERM AND SALARY OF ELECTED STATE OFFICERS; FEES, COSTS, AND PERQUISITES.** The Comptroller of Public Accounts, the Commissioner of the General Land Office, the Attorney General, and any statutory State officer who is elected by the electorate of Texas at large, unless a term of office is otherwise specifically provided in this Constitution, shall each hold office for the term of four years.

**Virginia**

**Article V. Executive**

**Section 1. Executive power; Governor's term of office.**

The chief executive power of the Commonwealth shall be vested in a Governor. He shall hold office for a term commencing upon his inauguration on the Saturday after the second Wednesday in January, next succeeding his election, and ending in the fourth year thereafter immediately upon the inauguration of his successor. He shall be ineligible to the same office for the term next succeeding that for which he was elected, and to any other office during his term of service.

**Section 6. Presentation of bills; powers of Governor; vetoes and amendments.**

 (a) Every bill which passes the Senate and House of Delegates, before it becomes law, shall be presented to the Governor.

 (b) During a regular or special session, the Governor shall have seven days in which to act on the bill after it is presented to him and to exercise one of the three options set out below. If the Governor does not act on the bill, it shall become law without his signature.

 (i) The Governor may sign the bill if he approves it, and the bill shall become law.

 (ii) The Governor may veto the bill if he objects to it by returning the bill with his objections to the house in which the bill originated….. If both houses override the Governor's veto [by a two-thirds vote in each house], the bill shall become law without his signature. If either house fails to override the Governor's veto, the veto shall stand and the bill shall not become law.

 (iii) The Governor may recommend one or more specific and severable amendments to a bill by returning it with his recommendation to the house in which it originated. …

 If both houses agree to the Governor's entire recommendation, the bill, as amended, shall become law. Each house may agree to the Governor's amendments by a majority vote of the members present.

If both houses agree to the bill in the form originally sent to the Governor by a two-thirds vote of all members present in each house, which two-thirds shall include a majority of the members elected to that house, the original bill shall become law.

 If the Governor sends down specific and severable amendments… [and if] either house fails to agree to the Governor's entire recommendation …. the bill, as originally presented to the Governor, shall be returned to the Governor…. The Governor shall either sign or veto a bill returned as provided in this subsection…

(d) The Governor shall have the power to veto any particular item or items of an appropriation bill, but the veto shall not affect the item or items to which he does not object. The item or items objected to shall not take effect except in the manner provided in this section for a bill vetoed by the Governor.

**Section 15. Attorney General.**

An Attorney General shall be elected by the qualified voters of the Commonwealth at the same time and for the same term as the Governor; and the fact of his election shall be ascertained in the same manner.

**[Treasurer]:**

*[There is no state treasurer provided for in the Virginia Constitution; instead, it is an office created by the state’s laws. The relevant provision holds]*

“**§ 2.2-1800. Department of the Treasury; State Treasurer.**

A. There is created a Department of the Treasury ("the Department"), which shall be under the direct control and supervision of the State Treasurer. The State Treasurer shall be appointed by the Governor to serve at his pleasure or until a successor is appointed and qualified.

B. The State Treasurer shall, under the direction and control of the Governor, exercise the powers and perform the duties conferred or imposed by law upon him and shall perform such other duties as may be required by the Governor.”

1. *Note: as many states’ constitutions are amended much more frequently than the U.S. Constitution, these are accurate as of January 2021.* [↑](#footnote-ref-1)