

No, a president cannot serve more than two terms, but there's one caveat

Meghann Mollerus 6 hrs ago



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The stage is getting primed for the next Presidential Election, as nationwide primaries conclude, and campaigning intensifies for the November Midterms.

Those outcomes will set the wheels in motion down a fast-paced, expectedly-contentious route to 2024 -- where the road ends at the White House.

President Joe Biden already has said he **plans to seek re-election**, but who will be the **Republican nominee**?

Former President Donald Trump has been rallying his base, signaling *his* potential re-run for the nation's highest office.

THE QUESTION

Because Trump served only one full term as president, viewer T.K. asked, "If Trump were elected president again, could he potentially serve *two* more terms?"

THE SOURCES

- **U.S. Constitution (22nd and 12th Amendments)**
- **Jason Husser - Elon University Political Science, Elon Poll**

THE ANSWER

No, the Constitution limits the presidency to no more than two four-year terms (consecutive or separately). Only vice presidents who assume the presidency to finish out a term, and later go onto run for the presidency, can serve more than eight years as president.

There is one potential loophole, should the Supreme Court allow a former two-term president to be chosen as a vice president.

WHAT WE FOUND

The answer is rooted deeply in American history.

"When George Washington became president, he served two terms, then stopped being president. This set a norm that every president followed until Franklin Roosevelt, who was elected to four terms. After Roosevelt died, the 22nd Amendment was added to the Constitution," explained associate professor Jason Husser.

A presidential term is four full years. The 22nd Amendment states, "No person shall be elected to the office of the president more than twice." It also stipulates no person who has held the office or acted as president for *more than two years* of a term can be go on to be elected president more than once.

"A half term (or less) doesn't count against this (rule). This means the Constitution has an exception, where if a person became president, say a person who was vice president ascended to the presidency...that person could go on to serve two full terms, meaning you could have a person who was president almost 10 years," Husser said.

Now, consider this -- a situation in which a former president became vice president and then had an opportunity to finish out the president's term (upon death or resignation of the president).

The 12th Amendment states, "No person constitutionally ineligible to the office of president shall be eligible to that of vice president."

So, it's unlikely a former two-term president even could be selected as a vice president.

"This (scenario) is something that hasn't been fully tested, but most scholars think the Supreme Court would not allow this, meaning the limit (for presidency) is still two terms, plus potentially a half term prior to serving those two terms," Husser said.

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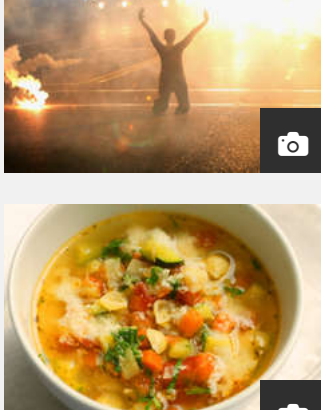
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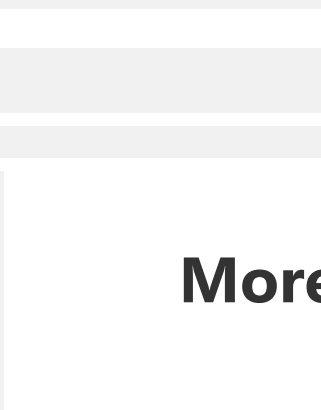
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