IMPEACHMENTS
Act 62 of 1872

AN ACT regulating trials of impeachment and providing for the expenses thereof.


The People of the State of Michigan enact:

6.1 Impeachment of civil officers; power of house, suspension; vacancies.
Sec. 1. That the house of representatives shall have the sole power of impeaching civil officers for corrupt
conduct in office, or for crimes and misdemeanors, but a majority of the members elected shall be necessary
to direct an impeachment. Every officer impeached may by the governor be suspended in the exercise of his
office until his acquittal, and the governor may make a provisional appointment to a vacancy occasioned by
the suspension of an officer until he shall be acquitted, or until after the election and qualification of a
successor.


6.2 Impeachment; trial by senate, judgment.
Sec. 2. Every impeachment shall be tried by the senate. When the governor or lieutenant governor is tried
the chief justice of the supreme court shall preside. When an impeachment is directed the senate shall take an
oath or affirmation truly and impartially to try and determine the same according to the evidence. No person
shall be convicted without the concurrence of 2/3 of the members elected. Judgment, in case of impeachment,
shall not extend further than removal from office, but the party convicted shall be liable to punishment
according to law.


6.3 Impeachment; prosecution by house.
Sec. 3. When an impeachment is directed, the house of representatives shall elect from their own body 3
members, whose duty it shall be to prosecute such impeachment, and the house of representatives are hereby
authorized to empower the said managers to prepare and present articles of impeachment in accordance with
resolutions of said house.


6.4 Impeachment; organization of senate as court, oaths, attendance of members.
Sec. 4. Whenever an impeachment is directed the senate shall forthwith, after the hour of final adjournment
of the legislature, be organized into a court for the trial of the same at the state capital, and such organization
shall be deemed to be perfected when the presiding officer of the senate and all the members thereof, present,
shall have taken oath or affirmation hereinbefore prescribed, and no member of the court shall sit, or give his
vote upon such trial, until he shall have taken such oath or affirmation, which oath or affirmation shall be
administered by the secretary of the senate, to the presiding officer thereof, and by the presiding officer to
each of the members of the senate. The senate sitting upon the trial of an impeachment shall have the same
power to compel the attendance of its members, as when engaged in the ordinary business of legislation.


6.5 Impeachment; appearance and answer of accused.
Sec. 5. The senate when so organized shall forthwith cause the person impeached to appear and to answer
the charge exhibited against him and upon his appearance, he shall be entitled to a copy of the articles of
impeachment, and to a reasonable time to answer the same.


6.6 Impeachment; counsel for accused.
Sec. 6. The person accused shall be allowed counsel on the trial of the impeachment.


6.7 Impeachment; trial, time, place, adjournment.
Sec. 7. When issue shall be joined in an impeachment, the senate, sitting as a court for the trial of the same
shall appoint a time and place for the trial thereof. At the time and place so appointed, the senate, as a court,
shall proceed to hear, try and determine the impeachment, and may from time to time, if necessary, adjourn

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the trial to any other time or place at the state capital.


6.8 Impeachment; acquittal.

Sec. 8. If 2/3 of all the members elected to the senate shall not assent to a conviction, the person impeached shall be declared acquitted.


6.9 Impeachment; president of senate, notice to senate.

Sec. 9. If the president of the senate shall be impeached, notice thereof shall be immediately given to the senate by the house of representatives, that another president may be chosen.


6.10 Impeachment; writs and process, signing and testing, enforcement.

Sec. 10. The writs and process of the senate sitting as a court for the trial of an impeachment, shall be signed by the secretary of the senate and tested in the name of the presiding officer, and the senate as such court shall have power to enforce obedience to its process by attachment and punishment as for contempt of the process of a court of record.


6.11 Impeachment; duties of secretary; record of proceedings, oaths.

Sec. 11. It shall be the duty of the secretary of the senate in all cases of impeachment to keep a full and accurate record of the proceedings which shall be taken and held as a public record, and he shall have power to administer all requisite oaths or affirmations.


6.12 Impeachment; senate appointment and removal of subordinate officers.

Sec. 12. The senate sitting as a court of impeachment shall have power from time to time to appoint such subordinate officers or clerks and reporters as may be necessary for the convenient transaction of business, and at any time to remove such officers.


6.13 Impeachment; powers of managers, rights of process.

Sec. 13. The managers elected by the house of representatives, shall have all necessary powers for conducting the trial of impeachments before the senate, and they, and also the person impeached, shall severally be entitled to process for compelling the attendance of persons, or the production of papers and records required for the trial of the impeachment.


6.14 Impeachment; senate rules and regulations.

Sec. 14. The senate sitting as a court of impeachment, shall have full power and authority to establish such rules and regulations as may be necessary in the trials of impeachment.


6.15 Impeachment; compensation of members of court, managers, and other officers; payment.

Sec. 15. The presiding officer and members of the senate, while sitting as a court of impeachment, and the managers elected by the house, shall receive the sum of 5 dollars each per day, and mileage at the rate of 10 cents per mile in going from and returning to their places of residence by the ordinarily traveled routes; and the compensation of the secretary, sergeant-at-arms, and all subordinate officers, clerks, and reporters, shall be an amount as shall be established by the vote of the members of the court. The state treasurer shall, upon presentation of a certificate or certificates signed by the presiding officer and secretary of the senate pay all the expenses of the senate and managers elected by the house, which may be incurred under this act.


6.16 Application of act.

Sec. 16. The provisions of this act shall apply to all resolutions and proceedings heretofore had, or hereafter to be had, to impeach any civil officer of this state.