

LOWER MINIMUM AGE FOR STATEWIDE ELECTED OFFICE

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House Joint Resolution DD
Sponsor: Rep. Aaron Miller
Committee: Elections
Complete to 3-2-16

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Joint Resolution DD would amend Article IV, Section 7 and Article V, Section 22, of the Michigan Constitution of 1963 to lower the minimum age requirement for state representatives, state senators, the governor, and the lieutenant governor.

Currently, according to Article IV of the Constitution, a Michigan state senator or representative must be a citizen of the United States, at least 21 years of age, and an elector of the district he or she represents.

House Joint Resolution DD would lower the age requirement to 18 years of age.

Likewise, Article V requires that a candidate for governor or lieutenant governor must be at least 30 years old and have been a registered elector in the state for four years before the election.

House Joint Resolution DD would lower the age requirement to 21 and the residency requirement to three years.

The resolution would require voter approval at the next general election. A general election is held in November of an even-numbered year.

BACKGROUND

Eleven states¹ currently have an age of candidacy requirement of 18 for the upper house of the legislature (the Senate, in Michigan). Of these, ten also have a minimum age requirement of 18 for the lower house (the House of Representatives, in Michigan), with West Virginia specifying no minimum age. New Hampshire, Louisiana, and Hawaii also list a minimum age of 18 for the lower house. Many of these states set this requirement not by specifically requiring a minimum age for officeholders, but by requiring that the officeholder be an "elector" of the state, and then stating that an elector must be at least 18 (in accordance with the 26th Amendment of the U.S. Constitution, ratified in 1971).

¹ California, Idaho, Kansas, Massachusetts, New York, North Dakota, Ohio, Rhode Island, Washington, West Virginia, and Wisconsin.

Twelve states² currently have an age of candidacy requirement below 30 for the governor, with five requiring the governor to be at least 18, South Dakota requiring age 21, and six requiring age 25. The requirements for lieutenant governor vary widely, with many states specifying no age requirement.

Many of these states set the requirement of age 18 not by specifically requiring a minimum age for officeholders, but by requiring that the officeholder be an "elector" of the state, and then stating that an elector must be at least 18 (in accordance with the 26th Amendment of the U.S. Constitution, ratified in 1971).

Additionally, several states do not set minimum age requirements for officeholders of various offices.

FISCAL IMPACT:

The bill does not appear to have any fiscal impact.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.

² Arizona, California, Illinois, Louisiana, Minnesota, Nevada, Ohio, Rhode Island, South Dakota, Utah, Washington, and Wisconsin.