



Senate Fiscal Agency
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Lansing, Michigan 48909-7536

BILL ANALYSIS

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House Bill 6553 (Substitute S-1 as reported)
Sponsor: Representative Rob VerHeulen
House Committee: Government Operations
Senate Committee: Government Operations

CONTENT

The bill would amend Chapter 2 (Of the Legislature) of the Revised Statutes of 1846 to do the following:

- Authorize the Legislature and each house of the Legislature to intervene in any action commenced in any State court whenever that house or the Legislature deemed it necessary to protect a right or interest of that body because a party challenged the constitutionality of a statute, or the validity of legislation or an action of the Legislature.
- Specify that the right to intervene would exist at any stage of the proceeding.
- Specify that the Legislature, and each house, would have the same right to prosecute an appeal, or to apply for a rehearing or to take any other action that would be had or possessed by any of the parties to the litigation.
- Specify that the bill would be self-executing, but that each house of the Legislature could adopt rules or policies to facilitate its operation.
- Specify that the bill would not limit any right or duty of the Attorney General provided by law.
- Specify that intervention would not be a waiver of legislative immunity.

The right to intervene would apply to all matters pending in any court of the State as of the bill's effective date, or any filed later in a court of the State.

Proposed MCL 4.83a

Legislative Analyst: Jeff Mann

FISCAL IMPACT

The bill could create a cost for the Legislature related to the number of cases and the complexity of the cases in which the Legislature chose to intervene. Costs could be increased due to the need to hire additional legal staff or hire outside legal counsel, either of which would add costs for the Legislature. The costs are indeterminate and would depend on the number of cases in which the Legislature intervened and the number of additional staff or outside legal counsel that could be hired. Currently, the average cost for an Assistant Attorney General for the State of Michigan for salary and wages is just under \$200,000 per attorney, per year.

Date Completed: 12-13-18

Fiscal Analyst: Joe Carrasco