

TIME FRAME FOR CONSTITUTIONAL AMENDMENTS

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<http://www.house.mi.gov/hfa>

House Joint Resolution G as reported from committee

Sponsor: Rep. Julie Calley

Committee: Elections and Ethics

Complete to 5-24-22

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

SUMMARY:

House Joint Resolution G would change the timing for putting proposed amendments to the state constitution on the ballot.

Article XII (Amendment and Revision) of the Michigan Constitution of 1963 lays out the procedure for proposing and adopting constitutional amendments, with section 1 addressing amendments proposed by the legislature through a joint resolution and section 2 addressing amendments proposed by the public through a petition. In either case, after passing its first hurdles, the proposed amendment must be approved by voters before it can take effect. If approved, the amendment becomes part of the constitution 45 days after the election.

Joint resolution

Currently, an amendment proposed by a member of the House or Senate and approved by a 2/3 majority of each house must be submitted to the electors at the next general election (or a special election as directed by the legislature) at least 60 days after legislative approval. General elections are those held in November of even-numbered years.

House Joint Resolution G would revise that timing so that the proposed amendment would be submitted to the electorate at an election held at least 90 days after legislative approval.

Petition

Currently, a petition proposing a constitutional amendment must be signed by a number equal to 10% of the total votes cast for all candidates for governor at the previous gubernatorial election (through 2022, that number would be 425,059) and must be filed with the secretary of state at least 120 days before the election at which it would be considered. Assuming that it meets requirements as to form and how it is circulated, the Board of State Canvassers must determine and officially announce the validity and sufficiency of signatures at least 60 days before the election at which it would be considered.

House Joint Resolution G would revise that timing so that the petition would have to be filed at least 150 days before the election, the Board of State Canvassers determination would have to be made at least 90 days before the election.

Requirements for adoption

House Joint Resolution G, itself a proposed amendment to the constitution, would have to meet the current requirements described above in order to take effect: be approved by a 2/3 majority of each house of the legislature and then be approved by the electorate at the next general election (or a special election as directed by the legislature) held at least 60 days after legislative approval. Unlike bills, joint resolutions are not sent to the governor for approval.

FISCAL IMPACT:

House Joint Resolution G would have no fiscal impact on the state or local units of government.

POSITIONS:

Representatives of the following entities testified in support of the joint resolution (3-1-22):

- Michigan Association of Municipal Clerks
- Michigan Association of County Clerks

Voters Not Politicians indicated opposition to the joint resolution. (4-12-22)

Legislative Analyst: Rick Yuille
Fiscal Analyst: Michael Cnossen

■ 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.