

THIS RESOLUTION IS OFFERED PURSUANT TO ARTICLE IV, SECTION 1 OF THE MICHIGAN CONSTITUTION, MCL 4.101, AND MCL 4.541.

HOUSE RESOLUTION NO. 117

Reps. DeBoyer and Bollin offered the following resolution:

1 A resolution to hold Secretary of State Jocelyn Benson and the
2 Department of State in civil contempt of the Michigan House of
3 Representatives.

4 Whereas, The Michigan House of Representatives is, along with
5 the Michigan Senate, vested with the legislative power of the state
6 of Michigan. The legislative power necessarily includes oversight
7 of the administration of laws. Oversight is an appropriate
8 legislative function justifying the exercise of the subpoena power;
9 and

10 Whereas, MCL 4.101 states, in part, that "[c]ommittees and
11 commissions of or appointed by the legislature may by resolution of
12 the legislature be authorized to administer oaths, subpoena
13 witnesses and/or to examine the books and records of any persons,

Whereas, MCL 4.541 states, in part, that "any standing or select committee of the senate or the house of representatives . . . shall be authorized to subpoena and have produced before any such committee, or inspect the records and files of any state department, board, institution or agency; and it shall be the duty of any state department, board, institution or agency to produce before the committee as required by the subpoena, or permit the members of any such committee to inspect its records and files"; and

Whereas, In House Resolution 1 of 2025, the House of Representatives adopted the Standing Rules of the House of Representatives for the One Hundred Third Legislature. House Rule 36(2) authorizes the House Oversight Committee to issue subpoenas throughout the term of the One Hundred Third Legislature; and

Whereas, On April 15, 2025, the House Oversight Committee voted to authorize the issuance of subpoenas directing Secretary of State Jocelyn Benson and the Department of State to produce certain documents for a matter under investigation by the Committee after months of resistance by the Michigan Secretary of State. The subpoenas were signed by Representative Jay DeBoyer, Chair of the House Oversight Committee, and served on the Department of State on April 22, 2025, with a deadline of May 13, 2025, 4:00 p.m., for document production; and

Whereas, On May 7, 2025, Heather Meingast, Division Chief of the Michigan Department of Attorney General Civil Rights and Elections Division, objected to the subpoenas sent to Secretary Benson and the Department of State on their behalf; and

1 Whereas, On May 16, 2025, the House of Representatives offered
2 to meet and confer with representatives of the Department of State
3 and demanded compliance with the House Oversight Committee's
4 subpoenas be completed no later than Thursday, May 22, 2025, at
5 11:00 a.m.; and

6 Whereas, Secretary Benson and the Department of State did not
7 fully comply with the House Oversight Committee's subpoenas before
8 11:00 a.m. on May 22, 2025. On May 22, 2025, Heather Meingast
9 reiterated Secretary Benson and the Department of State's
10 objections to the House Oversight Committee's subpoenas; and

11 Whereas, Reviewing election training materials is a valid
12 legislative purpose justifying the issuance of a subpoena; now,
13 therefore, be it

14 Resolved by the House of Representatives, That we hereby
15 declare that Secretary of State Jocelyn Benson and the Department
16 of State are in violation of the House's subpoenas; and be it
17 further

18 Resolved, That Secretary of State Jocelyn Benson and the
19 Department of State are hereby held in civil contempt of the
20 Michigan House of Representatives for their deliberate failure to
21 comply with the House's subpoenas; and be it further

22 Resolved, That the House Office of Legal Counsel is directed
23 to take steps necessary and proper to ensuring compliance with the
24 House's subpoenas, including the initiation of legal action; and be
25 it further

26 Resolved, That copies of this resolution be transmitted to the
27 Secretary of State.