

Legislative Analysis



RESIGNATIONS & REMOVALS FROM LEGISLATURE IN EFFECT FOR DURATION OF TERM

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 5407 as introduced
Sponsor: Rep. Lisa Posthumus Lyons
Committee: Elections
Complete to 3-2-16

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

SUMMARY:

House Bill 5407 would amend two sections of Michigan Election Law concerning removal and resignation of state senators and representatives.

Now, a state senator or representative who resigns that office must file a written notice with the effective date of the resignation with the presiding officer of the respective house, who will transmit that notice to the governor.

House Bill 5407 would add a clarification that the resignation will remain in effect for the duration of the unexpired legislative term.

Likewise, the bill would provide that the removal of a senator or representative remains in effect for the duration of the unexpired legislative term.

Removal from office is described in Article IV, Section 16 of the Michigan Constitution, and provides that a senator or representative's house is "the sole judge of the qualifications, elections, and returns of its members." A member may be expelled if two-thirds of the body votes for expulsion.

MCL 168.175 and 168.177

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.