



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 458 (Substitute S-2 as passed by the Senate)
Sponsor: Senator Tom Barrett
Committee: Oversight

Date Completed: 3-28-22

CONTENT

The bill would amend Chapter 12 (Of Certain State Officers) of the Revised Statutes of 1846 to require the Governor to notify the individual who would assume the powers and duties of the Office of the Governor before the Governor left the State and when he or she returned, and require the individual who assumed duties of the Office of the Governor to give written notice to the legislative leaders.

Specifically, beginning on the bill's effective date, the Governor would have to notify the individual who would assume the powers and duties of the Office of the Governor in accordance with Article 5, Section 26 of the Michigan Constitution before the Governor left the State and when he or she returned.

The individual who assumed the powers and duties of the Office of the Governor would have to make a good-faith effort to deliver written notice stating the expected duration of the Governor's absence to the following individuals within 12 hours after assuming the powers and duties of the Governor:

- The Senate Majority Leader.
- The Senate Minority Leader.
- The Speaker of the House of Representatives.
- The House Minority Leader.

Proposed MCL 10.3

BACKGROUND

Article 5, Section 26 of the Michigan Constitution generally prescribes the order of succession to the governorship if the Governor is impeached and removed from office, resigns, dies while in office, leaves the State, or is otherwise unable discharge his or her duties as governor. If the Governor or the person in line of succession to serve as governor is absent from the State, the powers and duties of the office of the governor devolve in order of precedence until the absence ceases. The line of succession for these purposes is as follows: the Lieutenant Governor, the elected Secretary of State, the elected Attorney General, the President Pro Tempore of the Senate and the Speaker of the House of Representatives.

Legislative Analyst: Stephen P. Jackson

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Joe Carrasco, Jr.

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.