

Legislative Analysis



REQUIRE TWO-THIRDS VOTE FOR BILLS CONSIDERED AFTER AN EVEN-YEAR NOVEMBER ELECTION

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

House Joint Resolution A as reported from committee

Sponsor: Rep. Ann Bollin

Committee: Government Operations

Revised 5-1-25

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

SUMMARY:

House Joint Resolution A would amend section 26 of Article IV of the state constitution to provide that a bill passed by the legislature after the November election in an even-numbered year cannot become law unless it has been approved by two-thirds of the members elected and serving in each house of the legislature.¹ This two-thirds requirement would apply to votes taken before the election if another relevant vote (e.g., for passage or concurrence) is taken after the election.

To become effective, House Joint Resolution A would have to be adopted by a two-thirds majority of each house of the legislature and then be approved by voters at the immediately following even-year November election.

BACKGROUND:

The Michigan Legislature convenes in two-year cycles. November elections in even-numbered years determine who will constitute the legislature the following January.² The legislature that is headed toward its conclusion when that election is held can continue to conduct business after the election through the end of the year. This post-election period is often called a lame duck session. (In American political lingo, a “lame duck” is an officeholder whose term is known to be coming to an end.) House Joint Resolution A would require bills considered during a lame duck session to have passed each house with a two-thirds majority, rather than the simple majority (over 50%) that is otherwise generally required.

There are no lame duck sessions in 39 states that (by constitution, law, or legislative rule) now require the state legislative session to end before a new legislature is elected. The 11 states that do not so limit their legislative sessions are Idaho, Illinois, Michigan, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Vermont, and Wisconsin.³

House Joint Resolution A is identical to HJR A of the 2021-22 legislative session as adopted by the House.

¹ Specifically, the joint resolution would require two-thirds approval for any bill “considered during a session held after the November election in an even-numbered year.” The joint resolution does not specify when this post-election period would begin.

² State representatives are elected to two-year terms of office. State senators are elected to four-year terms in those even-numbered years that are not divisible by four (i.e., that are not presidential election years).

³ <https://www.ncsl.org/resources/details/legislative-session-length>

FISCAL IMPACT:

House Joint Resolution A would not have a direct fiscal impact on the state or local units of government.

POSITIONS:

The following entities indicated support for the joint resolution (2-11-24):

- Michigan State Employees Retirees Association
- Oakland University

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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.