

SENATE JOINT RESOLUTION H

May 12, 2021, Introduced by Senators GEISS, POLEHANKI, BULLOCK, CHANG, MCMORROW, IRWIN, BAYER, SANTANA and ANANICH and referred to the Committee on Government Operations.

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 9 of article II, to modify the procedures for enacting a law by initiative, and for amending a law enacted by initiative or approved by referendum.

Resolved by the Senate and House of Representatives of the state of Michigan, That the following amendment to the state constitution of 1963, to modify the procedures for enacting a law by initiative, and for amending a law enacted by initiative or approved by referendum, is proposed, agreed to, and submitted to

the people of the state:

ARTICLE II

Sec. 9. The people reserve to themselves the power to propose laws and to enact and reject laws, called the initiative, and the power to approve or reject laws enacted by the legislature, called the referendum. The power of initiative extends only to laws which the legislature may enact under this constitution. The power of referendum does not extend to acts making appropriations for state institutions or to meet deficiencies in state funds and must be invoked in the manner prescribed by law within 90 days following the final adjournment of the legislative session at which the law was enacted. To invoke the initiative or referendum, petitions signed by a number of registered electors, not less than eight percent for initiative and five percent for referendum of the total vote cast for all candidates for governor at the last preceding general election at which a governor was elected shall be required.

No law as to which the power of referendum properly has been invoked shall be effective thereafter unless approved by a majority of the electors voting thereon at the next general election.

Any law proposed **and enacted** by initiative petition ~~shall be either enacted or rejected by the legislature without change or amendment within 40 session days from the time such petition is received by the legislature. If any law proposed by such petition shall be enacted by the legislature it shall be~~ **is** subject to referendum, as hereinafter provided.

~~If the law so proposed is not enacted by the legislature within the 40 days, the~~ **The** state officer authorized by law shall submit such proposed law to the people for approval or rejection at the next general **November** election. ~~The~~ **Except as otherwise**

provided in this section, the legislature ~~may~~ **shall not** reject,
adopt, or amend any measure so proposed by initiative petition and
shall not propose a different measure upon the same subject. ~~by a~~
~~yea and nay vote upon separate roll calls, and in such event both~~
~~measures shall be submitted by such state officer to the electors~~
~~for approval or rejection at the next general election.~~

Any law submitted to the people by either initiative or
referendum petition and approved by a majority of the votes cast
thereon at any election shall take effect 10 days after the date of
the official declaration of the vote. No law initiated or adopted
by the people shall be subject to the veto power of the governor,
and no law adopted by the people at the polls under the initiative
provisions of this section shall be amended or repealed, except by
a vote of the electors unless otherwise provided in the initiative
measure or by three-fourths of the members elected to and serving
in each house of the legislature. **No law adopted by the people at**
the polls under the initiative provisions of this section shall be
amended by the legislature at a session earlier than the first odd-
numbered year after the initiative is approved. Laws approved by
the people under the referendum provision of this section may be
amended by the legislature at ~~any subsequent~~ **a session thereof. not**
earlier than the first odd-numbered year after the referendum is
approved. If two or more measures approved by the electors at the
same election conflict, that receiving the highest affirmative vote
shall prevail.

The legislature shall implement the provisions of this
section.

Resolved further, That the foregoing amendment shall be
submitted to the people of the state at the next general election

1 in the manner provided by law.