

## HOUSE RESOLUTION NO. 48

Reps. Weiss, Koleszar, Rheingans, Arbit, Skaggs, Xiong, Foreman, Puri, Coffia, Longjohn, Tsernoglou, Wooden, Myers-Phillips, Pohutsky, Dievendorf, Price, Mentzer, Young, Hope, MacDonell, Conlin, Fitzgerald, Hoskins, McKinney, Paiz, Miller, Scott, Witwer, Martus, Brixie, Andrews, O'Neal, Wegela, Wilson, Steckloff, Neeley, Grant, B. Carter, Farhat, Liberati, Herzberg, Rogers, Glanville, McFall, T. Carter, Breen, Morgan, Byrnes, Tate, Snyder and Edwards offered the following resolution:

1       A resolution to direct the Clerk of the House of  
2 Representatives to promptly present to the Governor nine bills that  
3 were passed by both houses of the Legislature and ordered enrolled  
4 in December 2024.

5       Whereas, Article XI, Section 1 of the Michigan Constitution  
6 provides, in part, that "[a]ll officers, legislative, executive and  
7 judicial, before entering upon the duties of their respective

1 offices, shall take and subscribe the following oath or  
2 affirmation: I do solemnly swear (or affirm) that I will support  
3 the Constitution of the United States and the constitution of this  
4 state, and that I will faithfully discharge the duties of the  
5 office of ..... according to the best of my ability." Every  
6 member and officer of the House of Representatives, including the  
7 Speaker and the Clerk of the House of Representatives, swore this  
8 oath and is bound to uphold the Michigan Constitution; and

9       Whereas, Article IV, Section 33 of the Michigan Constitution  
10 states, in part, "Every bill passed by the legislature shall be  
11 presented to the governor before it becomes law, and the governor  
12 shall have 14 days measured in hours and minutes from the time of  
13 presentation in which to consider it"; and

14       Whereas, On February 3, 2025, after Speaker Matt Hall and the  
15 Clerk of the House of Representatives failed to present to the  
16 Governor nine bills in their possession, which were passed by both  
17 houses of the Legislature and ordered enrolled in December 2024,  
18 the Senate and Senate Majority Leader Winnie Brinks, in her  
19 official capacity, filed a lawsuit to obtain a declaratory  
20 judgment, a writ of mandamus, and an injunction to compel the  
21 presentation of the nine enrolled bills; and

22       Whereas, The Court of Claims issued a decision on February 27,  
23 2025, stating that "[t]he text [of Article IV, Section 33] is  
24 unequivocal: '**[e]very** bill passed by the legislature **shall** be  
25 presented to the governor before it becomes law . . . .'" The court  
26 emphasized that "[t]he language is mandatory and leaves no room for  
27 the exceptions" that Speaker Hall and Republicans claim. The court  
28 further explained that the Michigan Constitution "requires that all  
29 bills passed by the Legislature be presented to the Governor in

1 sufficient time to allow her 14 days to review the bills prior to  
2 the earliest date that the legislation may take effect . . . . This  
3 includes the nine bills that are currently under [the House's]  
4 control." The House of Representatives does not have the discretion  
5 to withhold bills passed by both houses of the Legislature in  
6 December 2024; and

7       Whereas, Now that the Court of Claims has spoken,  
8 unequivocally interpreting Article IV, Section 33 of the Michigan  
9 Constitution to require the presentation of the nine outstanding  
10 bills passed by both houses of the Legislature to the Governor, it  
11 is incumbent upon the House to comply with this constitutional  
12 mandate and order the Clerk of the House to present the nine bills  
13 to the Governor; and

14       Whereas, On March 12, 2025, the House of Representatives, led  
15 by Speaker Hall and the Republican Caucus, adopted House Resolution  
16 41 of 2025, directing the Clerk of the House of Representatives to  
17 only present to the Governor enrolled House bills finally passed by  
18 both houses of the One Hundred Third Legislature, deliberately  
19 circumventing both the Court of Claims' decision and the Michigan  
20 Constitution. However, House Resolution 41 does not accurately  
21 reflect the will of all the duly elected members of the House of  
22 Representatives, only that of the House Republican Caucus; now,  
23 therefore, be it

24       Resolved by the House of Representatives, That we direct the  
25 Clerk of the House of Representatives to promptly present to the  
26 Governor nine bills that were passed by both houses of the  
27 Legislature and ordered enrolled in December 2024; and be it  
28 further

29       Resolved, That copies of this resolution be transmitted to the

- 1 Speaker of the House of Representatives, the Clerk of the House of
- 2 Representatives, the Governor, and the President of the Senate.