

Legislative Analysis



ALLOW JUDGES OF CIRCUIT AND DISTRICT COURTS TO ADMINISTER LEGISLATORS' OATH

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

House Bill 4100

Sponsor: Rep. Lisa Wojno

Committee: Government Operations

Complete to 2-14-05

A SUMMARY OF HOUSE BILL 4100 AS INTRODUCED 2-1-05

The bill would amend Chapter 2 of the Revised Statutes of 1846 to allow circuit court judges and district court judges to administer the oath of office for members of the state legislature. The bill would also delete the reference to "the chancellor", an office abolished in 1847.

As currently written, this statute allows the oath of office for members or officers of the state legislature to be administered by a justice of the supreme court, the lieutenant governor, the President Pro Tempore of the State Senate, or the Speaker of the House of Representatives.

MCL 4.84

BACKGROUND INFORMATION:

Another related act, Public Act 67 of 1877, dealing with the organization of the Legislature, allows the Clerk of the House and the Secretary of the Senate to administer the oath of office to members of their respective houses "in case the president of the senate or one of the judges of the supreme court cannot attend." This is found at MCL 4.46

FISCAL IMPACT:

The bill would have no fiscal impact on the state or on local units of government.

Legislative Analysts: Mark Wolf
Chris Couch
Fiscal Analyst: Robin Risko

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.