



LEGISLATIVE UPDATES – April 2024

1. State of the State: The Governor delivered the State of the State on Wednesday, January 24, 2024. Whitmer called for the policy goals including: [Gov. Whitmer's 2024 State of the State Address as Prepared for Delivery \(michigan.gov\)](#)

- \$1.4B to build or rehabilitate housing [FUN FACT 2024 HOUSING.pdf \(michigan.gov\)](#)
- free pre-K [FUN FACT 2024 Prek.pdf \(michigan.gov\)](#)
- free community college [FUN FACT 2024 College.pdf \(michigan.gov\)](#)
- \$5000 income tax credit for family caregiver [FUN FACT 2024 Caregiver.pdf \(michigan.gov\)](#)
- finish spending road money [FUN FACT 2024 Rebuilding.pdf \(michigan.gov\)](#)
- tax credits for research and development [FUN FACT 2024 Makelt.pdf \(michigan.gov\)](#)
- revive the Good Jobs for MI program
- rebates for buying a new car

2. Composition of the MI Senate and MI House: The House is 56 D - 54 R now that the special elections were held on April 16 and were certified by the State Board of Canvassers on April 26. Mai Xiong won in District 13, and Peter Herzberg won in District 25. The Michigan House of Representatives is up for election in 2024.

3. Legislative Session: The legislature returned on January 10, 2024 and have posted their calendars through June 27, 2024. The Legislature usually meets Tuesday, Wednesday, and Thursday. Michigan is one of nine states with a full-time legislature.

4. State Budget: Governor Gretchen Whitmer presented her budget to the joint House and Senate Appropriations Committee on February 7. The budget includes money to continue the free breakfast and lunch program, fund preschool for 4-year-olds and free community college. The budget information is available at [State Budget Office \(michigan.gov\)](#). The Governor's budget recommendation totals \$80.7 billion, including a general fund total of \$14.3 billion and a school aid budget totaling \$19 billion. Now the House and Senate are working through Appropriation Subcommittees to review the Governor's proposed budget and make changes. The plan is to adopt the budget by the end of June with immediate effect. The budget goes into effect October 1, 2024.

5. Redistricting: *Agee v. Benson* (USWDM Docket No. 22-00272) On March 23, 2022, a group of Michigan voters filed a federal lawsuit against Michigan's Secretary of State and the Michigan Independent Citizens Redistricting Commission (MICRC). [Agee v. Benson](#) is a federal redistricting litigation case challenging Michigan's state legislative maps for violating Section 2 of the Voting Rights Act (VRA) and the Equal Protection Clause of the Constitution. This challenge concerns the ability of Black voters to elect candidates of their choice. The plaintiffs requested a court order requiring the MICRC to either redraw the districts not in compliance with the VRA and 14th Amendment or to adopt a proposed remedy map. The lawsuit was tried in the Western District of the Federal Court on November 1-3 and 6-8, 2023 in front of a three Judge panel.

On December 21, 2023, Federal District Court issued two opinions, that the Commission used race as the primary factor in drawing the maps for 12 districts and therefore, violated the 14th Amendment (Equal Protection Clause) of U.S. Constitution so maps will be redrawn. The House maps were redrawn for the House elections in 2024. The Senate maps will be redrawn later and take effect for the 2026 election.

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An appeal was filed in the U.S. Supreme Court and the court decided on January 22, 2024, not to issue a stay in the case. The Commission voted to withdraw the appeal on April 25, 2024.

The Federal District Court approved the MICRC's redrawn House maps, Motown Sound FC E1. The new map takes effect for the 2024 MI House of Representatives' elections.

The Commission is now redrawing the Senate maps for the 2026 election.

- Senate District 1: Sen. Erika Geiss, D-Taylor
- Senate District 3: Sen. Stephanie Chang, D-Detroit
- Senate District 6: Sen. Mary Cavanagh, D-Redford Township
- Senate District 8: Sen. Mallory McMorrow, D-Royal Oak
- Senate District 10: Sen. Paul Wojno, D-Warren
- Senate District 11: Sen. Veronica Klinefelt, D-Eastpointe

On April 15, 2024, the Court approved the Senate Remedial Plan that had been submitted jointly by both parties. The Court ordered the following timeline:

- May 22, Draft Proposed Maps due to the Court
- June 21, Public Comment on Draft Proposed Maps ends
- June 27, MICRC Final map due to Court
- July 5, Plaintiffs file objections to Court
- July 12, MICRC files response to objections with the Court
- July 12, Reviewing Special Master submits his report on Commission's work
- July 19, Parties may file briefs commenting on Report
- July 26, Court will adopt a remedial Senate district plan

Ordered MICRC to hold at least one Public Hearing in Detroit.

Agreed to delay decision on whether to appoint Special Drawing Master for Remedial Senate Districting Plan, as requested by the Commission.

Ordered MICRC to pay Drawing Special Master \$40,000 for his work in preparing the Remedial House Districting Plan.

You can see more information at [Michigan Independent Citizens Redistricting Commission](https://www.michigan.gov/micrc).

6. Presidential Primary: Michigan's Presidential Primary was held on Tuesday, Feb 27, 2024.

Approximately 1.8 million registered voters cast ballots, or about 23% of eligible registered voters. Over 78,000 voted in person at early voting sites. More than 1.4 million voters requested absentee ballots and 934,000 absentee ballots were returned.

7. Tuesday, May 7th Elections: Elections will be held throughout Michigan for school and other ballot issues. To see what elections are being held go to [May-7-2024-Elections-by-County.pdf \(michigan.gov\)](https://www.michigan.gov/elections)

8. State Legislators Not Running for Re-Election: There are 8 open seats in the election for the MI House. Not running are: Representative Abraham Aiyash (D-Hamtramck, #9), Representative Andrew Beeler (R-Port Huron, #5), Representative Felicia Brabec (D-Pittsfield, #33), Representative Graham Filler (R-St. Johns, #93), Representative Andrew Fink (R-Hillsdale, #35), Representative Rachel Hood (D-Grand Rapids, #8), Representative Christine Morse (D-Texas Township, #40) and Representative Dale Zorn (R-Onstead, #34). To see who has filed go to [2024 Michigan Unofficial Primary Candidate Listing - 08/06/2024 \(mielections.us\)](https://www.mielections.us)

Additionally, Senator Kristen McDonald Rivet (D-Bay City, #35) is running for Congress.

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9. Status of Line 5: In the case *Bad River Band v Enbridge* filed in U.S. District Court, on June 16, 2023, the Judge ruled Enbridge had to shut down. On July 6, 2023, Enbridge filed an appeal with U.S. Court of Appeals for 6th Circuit and it is reviewing the previous court decision. The Army Corps of Engineers is reviewing a request for a permit to begin the tunnel project. Federal advocacy efforts are focused on securing revocation by President Biden of the presidential permit required for Enbridge to operate the Line 5 pipeline. On December 1, 2023, the MI Public Service Commission approved a permit to move Line 5 pipeline into an underground tunnel with conditions. Efforts are underway to get President Biden to shut down Line 5. [Urge President Biden to Act on Line 5 - Oil & Water Don't Mix \(oilandwaterdontmix.org\)](http://oilandwaterdontmix.org)

10. National Popular Vote Legislation: LWVMI and others are supporting passage of the National Popular Vote legislation. The Senate bills, SB 126 and SB 295, are in the Senate Elections and Ethics Committee. The House Elections Committee voted to support HB 4125 and HB 4440, and the bills are on second reading in the Michigan House. LWVMI has a PowerPoint to explain National Popular Vote, available upon request. LWVMI and others are also hoping for a hearing in the Senate Elections and Ethics Committee.

11. Transparency Legislation: LWVMI and others have supported legislation that makes the MI Legislature and the Governor's office to be subject to the Freedom of Information act. SB 669 and 670 have been introduced and assigned to the Senate Oversight Committee. The first hearing was held on February 7. Paula Bowman, co-president, testified in support.

12. Prohibit Firearms at Election Sites Legislation: The House passed HB 4127 and 4128 that would prohibit firearms in polling places, within one hundred feet of a drop box and from absent voter counting places. The vote in the House was 56-53. The Senate Elections and Ethics Committee held a hearing on the bills on February 7. LWVMI supports passage of this legislation.

13. Financial Disclosure by Elected Officials: The Michigan House of Representatives and the Michigan Senate passed bills at the beginning of November, as required by passage of Proposal 1 in 2022. SBs 613-616 and SB 374 specify what information must be disclosed for public information and when. The first filing will be on April 15, 2024 for the previous calendar year. The Governor signed the bills into law. LWVMI supported the bills.

14. Possible Ballot Proposals: Proposals approved by the Board of Canvassers:

1. Legislative Initiative to expand the Freedom of Information Act to include the executive and legislative branch – circulating petitions
2. Legislative initiative to allow good time credits for prisoners – circulating petitions
3. Legislative initiative to increase the minimum wage – turned in signatures, Board of State Canvassers deadlocked on the decision of whether there were enough valid signatures submitted.
4. Referendum on PA 38 of 2023 – the extreme risk protection order. Circulating petitions
5. Legislative initiative to change the siting law recently passed by the Legislature in the climate change package. Circulating petitions
6. Constitutional Amendment – Axe MI Tax, Inc - prohibit the taxation of property. Circulating petitions.

More information [Statewide-Petition-Status.pdf \(michigan.gov\)](http://Statewide-Petition-Status.pdf(michigan.gov))

15. Income Tax Lawsuit: The Mackinac Center and others have filed a lawsuit contending that the income tax rollback from 4.25% to 4.05% is permanent and not for one year. On March 11, 2024, MI

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Court of Claims ruled that the rollback was for one year. *Associated Builders and Contractors et al. v Eubanks*

16. Right to Life Lawsuit: *Right to Life v Whitmer* is a federal lawsuit filed 11/8/23 against Governor Gretchen Whitmer and other state officials. It seeks to invalidate Proposal 3 arguing the 2022 ballot proposal created an illegitimate "super-right" to abortion that violates the U.S. Constitution. The case is in federal Western District Court.

17. Court Cases about former President Trump: *LaBrant v. Benson, Trump v Benson, Davis v Benson* are cases deciding whether former President Trump will be on the ballot. On November 14, 2023, Court of Claims Judge James Redford held for all three cases that the Secretary of State has no authority to decide whether he should remain on the ballot. On December 14, 2023, Court of Appeals rejected challenges to the case. On December 27, 2023, the MI Supreme Court said it would not hear the case. Meanwhile the U.S. Supreme Court is considering similar proposals adopted by other states.

18. SOS Benson Court Case on Voting Rules: The Secretary of State issued rules in May 2022 that required poll challengers and poll watchers appointed by political parties to obtain credential and be barred from carrying phones or speaking with election inspectors. The rules were challenged in court, *Halloran v. Benson*. On October 17, 2023, the Michigan Court of Appeals ruled the SOS had exceeded her power and not followed proper procedure to implement the rules. The SOS will appeal to the MI Supreme Court.

19. "Adopt and Amend" Case: Arguments in *Mothering Justice v. Attorney General* (MSC Docket No. 165325), known as the "adopt and amend" case, was heard by the MI Supreme Court on December 7, 2023. The case also will decide whether two controversial 2018 initiative petitions can take effect: one that called for raising Michigan's minimum wage to \$12 per hour by 2022 and bringing the tipped minimum wage up to the regular minimum wage and another that mandated paid sick time for workers.

20. Reproductive Freedom: On December 13, 2023, the U.S. Supreme Court announced it will hear arguments in *Alliance for Hippocratic Medicine v. FDA* that would threaten access to mifepristone, one of the two drugs used in medical abortions. The U.S. Supreme Court heard the case on March 26, 2024. Numerous lawsuits are underway in states that ban abortions.

The new Michigan laws upholding the right to an abortion are in effect. Michigan still has laws that ban Medicaid funding for abortion, require a 24-hour waiting period and parental consent for an abortion.

On February 6, 2024, Northland Family Planning Clinic, Center for Reproductive Rights and others filed a lawsuit challenging three of the abortion restrictions mandating that abortion patients wait a minimum of 24 hours after an appointment before they can receive an abortion; a law forcing clinicians to dispense and patients to consume what the lawsuit called biased counseling before and after the 24-hour waiting period; and a prohibition on qualified advanced practice clinicians providing abortion care. *Northland Family Planning Clinic v. Michigan*.

21. Voting Rights: Numerous laws took effect on February 13, 2024. To know more about your voting rights, go to the following websites: [Michigan Voter Information Center \(state.mi.us\)](https://www.state.mi.us/voter) and [Michigan Voting](https://www.lwvmi.org)

22. Republican National Committee Lawsuits against SOS: 1) On March 13, 2024, the RNC filed lawsuit in the U.S. Western District Court against SOS Benson alleging that MI has failed to keep its voter rolls up to date. LWVMI filed to intervene on April 5. *RNC v. Benson (USWDM Docket No. 24-00262)*

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2) On March 28 2024, the RNC and MI Republican Party filed a lawsuit in the Court of Claims that alleges that the SOS covertly attempted to evade the state's absentee voting protections by giving secret instructions to Michigan election officials. These instructions required officials to presume whether an absentee voter's signature is valid ahead of the state's presidential primary in February. *RNC v. Benson* (COC Docket No. 24-000041)

23. Legislative Interviews conducted by local Leagues: MI House of Representatives Districts (110) completed - 5, 8, 23, 32, 33, 38, 40, 41, 47, 48, 85, 86, 108, 109. MI Senate Districts (38) completed – 13, 14, 15, 19, 31, 37, 38.

24. Status of Legislation: An updated list of legislation supported and opposed by LWVMI and its status is available on LWVMI website.

Major legislation that passed in 2023 and supported by LWVMI include:

- Climate Change
- Earned Income Tax
- Firearm Safety
- Reproductive Choice
- Voting Rights
- Juvenile Justice

Currently, LWVMI is working on passage of these bills before the summer recess:

- HB 4156 & HB 4440, SB 126 and SB 295 - enact the National Popular Vote legislation
- HB 4127 and 4128 – - ban firearms in election places
- HB 4707 and SB 27 – ensure mental health coverage
- SB 603 and SB 604 – establish recount process
- HB 5580 – HB 5586 - BRITE Bill package, provide more transparency for money in politics
- SB 401-SB 404 – establish a MI Voting Rights Act
- SB 669 and SB 670 – apply the Freedom of Information Act apply to Governor's office and Legislature

Updated 4/30/2024 JAK