STATE OF MICHIGAN
IN THE SUPREME COURT

MICHIGAN SENATE and MICHIGAN SENATE MAJORITY LEADER WINNIE BRINKS, in her official capacity,

Plaintiffs-Appellees/
Cross-Appellants,

v.

MICHIGAN HOUSE OF REPRESENTATIVES, MICHIGAN HOUSE SPEAKER MATT HALL, in his official capacity, and MICHIGAN HOUSE CLERK SCOTT STARR, in his official capacity,

Defendants-Appellants/
Cross-Appellees,

and

MICHIGAN HOUSE SPEAKER MATT HALL, in his official capacity.

Defendant.
_____/

Supreme Court Case No. 169381

Court of Appeals Case No. 374786

Court of Claims Case No. 25-00014-MB

AMICUS BRIEF OF THE MICHIGAN CREDITORS BAR ASSOCIATION

ROGER L. PREMO (P-19083)
Attorney for Amicus Curiae,
The Michigan Creditors Bar Association,
31547 W. Thirteen Mile Road
Farmington Hills, MI 48334
(248) 566-3237
rogerp234@yahoo.com

INDEX OF AUTHORITIES

Page

Cases:

Michigan Constitution:

Statutes:

Bills of the Michigan Legislature:

Journals of the Michigan House and Senate:

Joint Rules of the Michigan House and Senate, 102nd Legislature

Studies/Articles:

TABLE OF CONTENTS

Page

INDEX OF AUTHORITIES (cont,)

Position Paper/Correspondence:

STATEMENT OF JURISDICTION

Amicus The Michigan Creditors Bar Association adopts the statement of jurisdiction offered by Defendants-Appellants Michigan House of Representatives and Michigan House Clerk Scott Starr.

STATEMENT OF QUESTION PRESENTED

Should the Court reverse the Court of Appeals' erroneous decision requiring the Michigan House of Representatives to present to the Governor nine bills passed by the prior Legislature?

Amicus The Michigan Creditors Bar Association answers: Yes.

STATEMENT OF INTEREST OF AMICUS CURIAE

The Michigan Creditors Bar Association ("MCBA") is a special purpose bar association recognized by the State Bar of Michigan and founded in 1994.[1] It is an organization of Michigan-based law firms that represent local, state, and national creditors, including banks, credit unions, health providers, and small businesses, among others. The member firms file thousands of lawsuits annually to collect millions of dollars of debt owed to their clients. An important goal of MCBA is to monitor the status and development of the law in Michigan and nationally relating to debt collection matters and to the regulation of collection activities and to present the views of its member firms on matters relating to debt collection and to the regulation of collection activity,

MCBA and its members have a great interest in the matter of whether Michigan House of Representatives Bills 4900 and 4901, pertaining to collection activities and also to bankruptcy exemptions, will become law in this State. HB 4900 makes very substantial changes in the parts of the Revised Judicature Act dealing with enforcement of judgments through garnishment and execution by expanding the types of property that are exempt from being being applied to an individual debtor's judgment debts and very substantially increasing the dollar amounts of those exemptions. Similarly, HB 4901 makes very substantial changes to amounts of exempt property that a debtor can retain when going through a personal bankruptcy, provided that the debtor opts for utilizing the state's list of bankruptcy exemptions (as opposed to electing the exemptions under federal law). These alterations in collection law would have a substantial negative effect

---

[1] This brief was not authored by counsel for a party to this case in whole or in part, nor did such counsel or a party make a monetary contribution intended to fund the preparation or submission of this brief. MCR 7.312(H)(3). No person other than MCBA, its members, or its counsel made any monetary contribution to author this brief.

on the collectibility of the debts which members of the MCBA are attempting to collect for their clients. The reduced collectibility of legal debt owed to creditors can be expected to cause a tightening of credit for lower earners and disadvantaged individuals and an increase in the cost of credit.

In the view of MCBA, the manner in which HB 4900 and 4901 were passed during the chaotic lame-duck session of the Michigan Legislature have given the people of Michigan tainted legislation in the form of HB 4900 and 4901. These bills were originally introduced in July of 2023 and were suddenly discharged from committee on the same day that they were passed in the Michigan House on December 13, 2024 in a rush to adoption before control of the House would be taken over by a Republican majority in January of 2025. The goal of orderly development of Michigan law, with input from all sides, would be better served by not bringing back this flawed legislation that died with the end of the 102nd Legislature.

Accordingly, the MCBA through its members has a very significant stake in the dispute being addressed in this litigation as to whether HB 4900 and 4901 should become law even though the bills were not presented to the governor of Michigan before the 102nd Legislature went out of existence as of noon on January 8, 2025. MCBA feels that the courts of Michigan, including the Michigan Supreme Court, should not enter the political fray and cause those bills to be resurrected for presentment to the Governor well after the end of the 102nd Legislature.

For persons in the business of achieving collections on personal debt, such as MCBA's members and their clients, the changes that would be made by the two bills are not evolutionary changes in collection law and in modifying exempt property protections for individuals. Instead, these changes are radical and were sprung upon the collection industry in Michigan without

adequate consideration of the views of persons on the creditor side of the debtor-creditor relationship and the effects upon the Michigan economy generally. MCBA feels that the constitutional weaknesses of the Plaintiffs-Appellee's position should not be overlooked and that HB 4900 and 4901 should be not resurrected after expiring in the 102nd Legislature.

ARGUMENT

I. HB 4900 and HB 4901 Should Not Lightly Be Ordered Sent to the Governor for Possible Approval on the Basis of Proponents' Claims That the Bills Indisputably Have Great Social Value and Constitute Modernization of Collection Law.

This case involves Plaintiffs-Appellees' complaints about the fact that nine bills passed by the 102nd Michigan Legislature that were not presented to the Governor by the end of the legislative session. Those bills were House Bills 4665, 4666 and 4667 (allowing certain public employees to participate in the State Police retirement fund); House Bills 4177, 5817 and 5818 (allowing certain museums in Detroit to create an authority to ask voters to levy a tax); House Bill 6058 (to require public employers, including public school districts and local governments, to pay at least 80% of employee health care costs); and House Bills 4900 and 4901 (increasing debtor's exemptions from garnishment and execution in state court and increasing the amounts and types of exempt property to be retained by Michigan residents filing for bankruptcy). The interest of Amicus MCBA is with the latter two bills dealing with the creation of greater restrictions on creditors' ability to collect debts owed to them.

The proponents of HB 4900 and HB 4901 claim that these bills have great social value and that the bills involve legal advances that are indisputably beneficial for Michigan residents. These claims seem to be made with the thought that they will sway this Court toward affirming, or leaving in place, the decision of the Court of Appeals providing that these bills must be

presented to the Governor for possible enactment. The MCBA disagrees strongly from the proponents' view of the beneficial nature of the legal changes embodied in those two bills. In reality, those bills represent highly questionable legislation adopted during the frenzy of the December 2024 lame-duck session of Michigan Legislature without an adequate opportunity for debate and study and without an understanding of the extent of the legal changes called for in the bills. Because of the questionable and controversial nature of HB 4900 and HB 4901, the substantial constitutional problems surrounding the attempts to resurrect the bills should not be ignored or taken lightly on the basis that they represent "good" or "reform" legislation.

Advocates for the two bills refer to them as an updating and modernizing debt collection practices in Michigan. In reality, the changes are for the most part radical departures from prior legal protections for individual judgment debtors in Michigan. The bills are greatly skewed in favor of the debtor as compared to the judgment creditor. The architects of the bills have lost sight of the fact that having a functioning method for collection of delinquent debts is essential to the viability of companies who extend consumer credit. Making a sharp change in favor of debtors in the collection system can be expected to cause disruption in our credit-based economy in Michigan and bring an adverse shift in the availability and costs of consumer credit here.

Credit-granting decisions are affected by the level of garnishable wages that would be available to a creditor upon default. A report made available by the federal Consumer Financial Protection Bureau estimated that "a dollar decrease in the amount garnishable per week decreases median credit card limits by $10.04 [.]" [2]

---

[2] Scott Fulford and Éva Nagypál, *Using the Courts for Private Debt Collection: How Wage Garnishment Laws Affect Civil Judgments and Access to Credit* (Consumer Financial Protection Bureau Office of Research, March 20, 2023), p. 5.

An area of jarring change in HB 4900 relates to the portion of a judgment debtor's take-home pay (after withholding) that is available to a creditor with a garnishment. Presently, a federal statute protects the first $217.50 of weekly take-home pay from garnishment (30 times the federal minimum hourly wage) and makes 25% of take-home pay the maximum amount which can be reached by a wage garnishment. HB 4900 would exempt the first $488.55 of weekly take-home pay (based on 35 times the current Michigan minimum hourly wage) from garnishment (increasing to $525.00 in January 2027) and limit the maximum amount reachable on a wage garnishment to 15% of take-home pay.[3] Moreover, HB 4900 adds a wrinkle where the initial figure for take-home pay ("garnishable wages") can be reduced for voluntary withholdings for health insurance and a medical savings account (by an amount not exceeding 15% of the initial figure).[4] The added exemption for health insurance and a medical savings account could reduce the garnishment moneys received by the creditor to 12.75% of the debtor's take-home pay. While increasing the fully exempt amount from $217.50 might be justified on grounds of keeping pace with inflation, reducing the maximum collection to 15% cannot be justified on grounds of "modernizing" or "updating". There is nothing about the figure 15% that is more modern or up-to-date than the previous figure of 25%.

Under HB 4900, another steep increase relates to a debtor's homestead on which the exemption was $3,500.00 and would go to $125,000.00 under the bill and increase to

---

[3] See new Secs. 4032(2)(a) and (b) of Revised Judicature Act ("RJA") as called for under HB 4900. A copy of HB 4900 (as passed by the Senate) showing additions and deletions from current law is available at https://legislature.mi.gov/documents/2023-2024/billenrolled/House/pdf/2023-HNB-4900.pdf (last accessed April 27, 2026).

[4] See new RJA Sec. 401a(e) called for under HB 4900.

$200,000.00 if the debtor was 65 years old or disabled.[5] That much higher homestead exemption means that it is not likely that a judgment creditor could carry out the sale of a debtor's house to pay down a judgment debt because the sale would have to bring enough money (1) to pay off mortgages on the property and (2) to pay the debtor the $125,000.00 (or $200.000.00) exemption amount. If an execution sale did not cover those amounts, the sale would have to be canceled and the creditor would have to absorb the costs of the unsuccessful sale.

In addition, continuing exemptions have been created for moneys in a bank account if those moneys would have been exempt from seizure or garnishment when first paid to the debtor. See new Section 4301(1)(a)-(f) of the Revised Judicature Act ("RJA") called for by HB 4900. These categories are:

(1) Money that a debtor receives as payment of any means tested public assistance benefits;
(2) Unemployment compensation benefits,
(3) The federal Earned Income Tax Credit (EITC),
(4) The Michigan EITC, (
(5) A similar program of the state or a local government;
(6) Disability benefits;
(7) Worker's compensation. and
(8) Money paid or to be paid because the debtor or one of their dependents was a crime victim.

Any bank balances that can be shown to have been derived from those exempt sources within the last 90 days before service of a garnishment are exempt from that garnishment. The question of what part of an account balance comes from an exempt source in the previous 90 days is to be determined by obtaining information from the payor of the exempt funds and doing a funds tracing utilizing the first-in, first-out method. Financial institutions have the burden of

[5] See revised RJA Sec. 6023(1)(k) called for under HB 4900.

establishing the amount of of the exempt funds in the account and providing such information to the debtor and the garnishing creditor.[6] Even if the debtor's account had no moneys from exempt sources, the bank would still be required to shield the first $800.00 of the debtor's balance from the garnishment. If the bank account contains both exempt funds and other funds, the amount shielded from garnishment is the greater of (1) $800.00 or (2) the amount of the exempt funds.[7] If a bank balance is $800.00 or less when a garnishment is served, no money at all would be payable to the creditor on the garnishment.

HB 4900 has further restrictions on collection through new and increased exemptions for various kinds of property. Examples of the greater exemptions are as follows:[8]

	Current Amt.	New Amt.
Household goods, furniture, utensils, books, and appliances	$1,000	$5,000
Motor vehicle	Could claim $1,000 as tools	$5,000
Tools, implements and equipment required for trade or business	$1,000	$5,000
Computers, including mobile computing devices, mobile phones and computer accessories	None	$5,000

Another new concept from HB 4900 is long-term protection for moneys the debtor received from the sale or condemnation of exempt property. The moneys obtained from liquidation of exempt properties will become exempt from judgment enforcement for a period of 18 months, provided they are held by the debtor in a bank account, savings account or certificate of deposit.[9]

---

[6] New RJA Sec. 4033(1) called for under HB 4900.

[7] See new RJA Sec. 6023(1)(r) called for under HB 4900.

[8] See amended RJA Secs. 6023(1)(b), (c), (g), and (h) called for under HB 4900.

[9] See new RJA Sec. 6023e(1) called for under HB 4900.

The alarm of credit and financial service businesses to the sudden passage of HB 4900 was well-summarized in a letter of December 27, 2024 sent to Governor Whitmer by Elora Rayhan of the State Government Affairs department of the American Financial Services Association ("AFSA") and posted to the AFSA website. The letter (Exh. 1 hereto) states as follows at pp. 1-2:

> At the outset, AFSA and its members are alarmed by the abrupt manner in which HB 4900 advanced through the Michigan Legislature. This bill was first introduced on July 18, 2023, and referred to the House Committee on Insurance and Financial Services. HB 4900 then sat dormant for 18 months. The House Committee heard exactly no testimony on the bill, much less held a vote or considered any amendments. Then, late in the evening of a rare Friday session, during the lame duck period, the Michigan House discharged the bill from the Committee, adopted a substitute that the public had no opportunity to review, and passed the bill without bipartisan support. The precise time of passage by the House was after 9:00 P.M. on Friday, December 13. Notably, a member of the Michigan House later told the media that around this time, "we had been sitting there, and sitting there, and sitting there, … We're voting on bills that had never been through committee… they were trying to confuse people on bills. People didn't read anything. Amendments were popping up, and people didn't know what the amendments were. It was crazy."
>
> HB 4900 was later passed by the Michigan Senate in what news reports have called the longest legislative session in Michigan history, which spanned nearly 30 hours (by our count, the Senate did not pass HB 4900 until approximately the 26th hour).
>
> Respectfully, those facts do not reflect a policymaking process under which a complicated and complete revision of the Michigan collection laws should be enacted. HB 4900 amends *9 distinct sections* of the Revised Judicature Act and *adds 10 new sections of law* that do not currently exist. It alters the process by which collection lawsuits should be resolved, amends exemptions for the attachment and levy provisions, changes wage garnishment, and places new requirements on depository institutions and the Michigan Department of Treasury. It would require implementation of these many changes on a rapid 180-day timeline. It is simply not legislation that can be responsibly crammed through at the last hour of a legislative session—not without posing serious harm. [Italics in original.]

The AFSA letter also points out that one of the most inexplicable provisions of HB 5900 is the provision for reducing the portion of net wages (after withholdings) that can be garnished

from 25% to 15% and having the reduced percentage applied to every debtor without regard to the income level of the debtor, stating as follows:

> Most inexplicably, HB 4900 would amend Section 4032(2)(a)(ii) of the Revised Judicature Act to limit to 15% the amount of disposable (post-deductions) wages that can be garnished—*regardless of a debtor's income level*. That is a decrease from the current 25% that can be garnished. In other words, HB 4900, while attempting to shield certain amounts from garnishment, offers identical protections to multi-millionaires and those earning $40,000 or less per year. AFSA can think of no justification for providing additional debt-relief to high-earning-individuals. [Italics in original.]

The letter also mentions that credit granting decisions will be negatively affected to the detriment of persons in vulnerable populations, stating as follows:

> HB 4900 will also greatly limit how financial institutions offer credit products. In response to the increased risk of non-recovery, lenders will be forced to tighten credit requirements, raise interest rates, and reduce the availability of credit products. This will restrict access to affordable credit for consumers who need it most, particularly those with lower credit scores. In extreme cases, lenders might scale back lending altogether in Michigan, creating a significant gap in credit access for vulnerable populations.

Reflection on the views stated in the AFSA letter and this brief will show that the passage of HB 4900 is not an event to be universally hailed as positive change for Michigan.

Also, the shorter companion bill, House Bill 4901 would bring large increases in the amounts of exempt property that a debtor filing for bankruptcy could retain. Some of the significant changes in exempt property under that bill are as follows:

	Current Amt.	New Amt.
Household goods, furniture, utensils, books, and appliances	$4,625	$5,000
1 Motor vehicle	$4,250	$15,000
Computers, including mobile computing devices, mobile phones and computer accessories	$800	$5,000

Homestead	$46,125 or $69,299 if 65 or disabled	$125,00 or 200,000 if 65 years old or disabled
Wildcard exemption	None	$1,475 in value plus up to $13,950 for any unused portion of the homestead exemption

These exemption increases are a very significant departure from existing law.

Clearly, HB 4900 and 4901 call for controversial and radical changes to Michigan debtor-creditor law, which were passed in the chaos of the December 2024 lame-duck session of the Legislature. It would be incorrect to view those bills as indisputably positive legislation that should be brought back to life notwithstanding the constitutional weaknesses in the arguments for requiring the presentment of the bills to the Governor at this late date.

II. The Court of Appeals Erred in This Matter by Holding That a Mandamus Remedy Could Be Used to Require the Presentment of the Nine Bills to the Governor and in Holding That There Was Any Breach of Duty by Defendants-Appellants.

The nine bills involved in this case, including HB 4900 and 4901, were all bills that had originated in the Michigan House of the 102nd Legislature and thus the matter of presenting those bills to the Governor after passage was entrusted to the House. However, the nine bills (passed by both houses in December 2024) were never presented to the Governor by the time that the 102nd Michigan House ceased to exist upon the convening of the 103rd Legislature on Wednesday, January 8, 2025 at 12:00 noon. In this matter, the Court of Appeals erred, in its October 27, 2025 opinion, in holding that that the Court of Claims could, upon remand, mandate that the 103rd House to present the nine bills to the Governor by a date certain for approval, with the effect that the bills would become law upon signature by the Governor.

Under Michigan law, a plaintiff seeking the remedy of mandamus must sustain the burden of demonstrating that (1) the plaintiff has a clear legal right to performance of the specific duty alleged, (2) the defendant has a clear legal duty to perform, (3) the act is ministerial, and (4) no other adequate legal or equitable remedy exists that might achieve the same result. *Berry v Garrett*, 316 Mich App 37, 41; 890 NW2d 882 (2016). In this matter, it is quite clear that Plaintiffs cannot satisfy factors 2 and 4. Defendants did not have a clear duty to present the nine bills to the Governor and the matter of whether and when to present the bills to the Governor was not a ministerial act.

There was no clear duty for the 102nd Michigan House to present the nine bills to the Governor because the Michigan Constitution does not provide that the Legislature must present every bill passed by both houses to the Governor. Const 1963, Article 4, § 33 merely states in relevant part as follows: "Every bill passed by the legislature shall be presented to the governor before it becomes law…." (emphasis added.) Article 4, § 33 merely that states that no bill can become law without having been first presented to the Governor. Moreover, that provision of the Constitution does not state any time limit for presenting bills to the Governor after their passage.

Because there is not time limit stated for the Legislature to present to the Governor a bill passed by both houses, the Constitution has left the matter of timing to the discretion of the Legislature. Since the matter of whether to present bills and the timing of the presentment are within the discretion of the Legislature, there exists in this case no breach by Defendants-Appellee of a clear ministerial duty. Accordingly, no sufficient basis exists in this matter for finding a breach of duty by the Michigan House or for the authorization of a mandamus remedy to require the presentment of the nine bills, including HR 4900 and 4901, to the Governor.

In a very comparable situation, the New Jersey Supreme Court held there was no breach of duty by the legislature and no occasion for ordering mandamus, in *Gilbert v Gladden*, 87 NJ 275, 282-283; 432 A2d 1351 (1981). In that case, the New Jersey constitution stated no deadline for the legislature to present to the governor bills passed by both houses. The New Jersey Supreme Court held that the lack of a stated deadline meant that the time of presentment was discretionary.

In this case, the absence of any stated deadline for presenting bills to the Governor means that the timing of presentment was a matter left to the discretion of the legislature. Since the timing of presentment is discretionary, there was, and is, no ministerial duty of the House to present the bills to the Governor. It was therefore erroneous for the Court of Appeals to hold that the mandamus remedy was appropriate to require presentment of the nine bills to the Governor. In addition, the discretionary nature of the timing of presentment means that the House did not breach any duty to present the bills to the Governor by any particular time. The House had no duty to present the bills to prevent their expiration at noon on January 8 and there was no breach of duty upon which Plaintiffs could base for their lawsuit. Therefore, it is appropriate that this Court reverse the decision of the Court of Appeals and order the dismissal of Plaintiff's lawsuit.

III. The Court of Appeals Erred in Holding that This Case Did Not Embroil the Courts in a Nonjusticiable Political Question and in Failing to Order the Dismissal of Plaintiffs-Appellee's Case on That Basis.

Michigan courts use a three-factor test for whether a case involves a nonjusticiable political question. *Makowski v Governor*, 495 Mich 465, 472; 852 NW2d 61 (2014). The three factors are derived the federal case of *Baker v Carr*, 369 US 186; 82 S Ct 691; 7 L Ed 2d 663 (1962). The three factors to consider are as follows: (1) whether the case involves resolution of

questions that have been assigned by the Constitution to a coordinate branch of government; (2) whether resolution of the question demands that a court move beyond areas of judicial expertise; and (3) whether prudential considerations for maintaining respect between the three branches of government counsel against judicial intervention. Only one of the factors need be present for the doctrine of abstention to apply. *Baker,* 369 US at 217; *Gilbert,* 87 NJ at 282.

In Michigan, the passing of legislation and the shepherding legislation through the houses of the Legislature is entrusted exclusively to the Legislature. The manner in which the Legislature conducts its business is governed by rules adopted by the Legislature at the beginning of each biennial Legislature to govern the business of the Legislature for that two-year session. Those rules are determined by the houses of the Legislature solely and is not determined by any other branch of government. Because the Michigan Constitution did not put a limit on the time for presentment of passed bills to the Governor, the matter of timing was left to the discretion of the Legislature. When the Court of Appeals substituted its views for those of the Legislature on the time for presentment issue, it was ignoring the first *Baker* factor. The Court was improperly ruling on a nonjusticiable political question that the Michigan Constitution had assigned to the Legislature.

The reasoning of the *Gilbert* case from New Jersey applies here and indicates that this case should have been dismissed below based on the presence of a nonjusticiable political question. Like Michigan, the state constitution in New Jersey indicated that it was up to the legislature to present to the governor bills that had been passed by both house of the legislature but no time limit for presentment was specified in that constitution. The New Jersey Supreme Court held the absence in the constitution of a directive on the time for presentment meant that

the timing of presentment was a matter entrusted to the discretion of the legislature. Although the *Gilbert* case was very similar to the present case, Court of Appeals did not state why the reasoning of that case did not apply here. The Court of Appeals erred in its ruling.

IV. Neither HB 4900 Nor HB 4901 Was Validly Passed During the 102nd Legislature with the Same Title on the House-Passed Version and the Senate-Passed Version of the Bill and Accordingly Neither Bill Qualified for Presentation to the Governor.

Under the procedures of the 102nd Michigan Legislature, identical versions of a bill, with an identical title, must be passed in both houses of the legislature before the bill would be suitable for presentment to the Governor. Rule 20 of the Joint Rules of the House and Senate of the 102nd Legislature contemplates that one house adopting a bill may amend the title before sending the bill back to the originating house.[10] In that circumstance, it is necessary for the originating house, such as the House of Representatives in this case, to agree to the amended title before the bill is ready for presentation to the governor. The applicable portion of Rule 20 reads as follows:

> Following the passage of a bill with a short title, the house other than the house of origin shall replace the short title with the last full title of the act it is proposed to amend or repeal. Other corrective amendments to the title shall be made as may be necessary. The full title and amended title shall be agreed to by both houses.

With regard to HB 4900 and HB 4901, the title of each bill was amended by the Senate in the process of adopting the bill on December 20, 2024 after the bill with a shorter title had been previously adopted by the House on December 13, 2024. It was expected that the members of the House would vote on and approve the amendments to the titles of the bills in a session scheduled for December 31, 2024. However, such an amendment to the titles of the two bills

[10] See copy of the Joint Rules of the House and Senate 102nd Legislature 2023-2024 attached as Exh. 2.

never occurred because the House never achieved a quorum on December 31, 2024 and no subsequent session of the House of 102nd Legislature was ever held.

House Journal No. 86[11] of December 13, 2024 shows that the passage of HB 4900 in the House, using the following title:

> A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 2807, 4011, 4015, 4031, 4061a, 6023, 6027, 6059, and 6104 (MCL 600.2807, 600.4011, 600.4015, 600.4031, 600.4061a, 600.6023, 600.6027, 600.6059, and 600.6104), section 2807 as added by 2004 PA 136, section 4011 as amended and section 4061a as added by 1994 PA 346, and section 6023 as amended by 2012 PA 553, and by adding sections 4001a, 4032, 4033, 6001a, 6023b, 6023c, 6023d, 6023e, 6023f, 6023g, and 6023h.

Likewise, HB 4901 was adopted by the House at the same session using the following title:

> A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 5451 (MCL 600.5451), as amended by 2012 PA 451.

Subsequently, on December 20, 2024, the Senate considered the two bills, along with scores of others. Senate Journal No. 110,[12] covering that day, states (at p. 2248) that Senator Singh moved for the passage of HB 4900 and the bill passed by a margin of 22-16. The Journal shows that the Senate then agreed to amend the title of HB 4900 by inserting (in the title of the bill) the full title of the act being amended (the Revised Judicature Act of 1961). That matter was set forth at p. 2249 of the Journal, as set forth below:

---

[11] House Journal No. 86 for December 13, 2024 is available online at <https://www.legislature.mi.gov/documents/2023-2024/journal/House/pdf/2024-HJ-12-13-086.pdf> (accessed April 28, 2026).

[12] The Senate Journal No. 110 covering December 20, 2024 is available online at <https://www.legislature.mi.gov/documents/2023-2024/Journal/Senate/pdf/2024-SJ-12-20-110.pdf> (accessed April 28, 2026).

> Pursuant to Joint Rule 20, the full title of the act [i.e., Revised Judicature Act of 1961] shall be inserted to read as follows:
>
> "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,"
>
> The Senate **agreed to the full title**. [Emphasis added.]

Likewise, at page 2246 the Journal states that HB 4901 was passed by the Senate by a margin of 21-17. Then at page 2247 the Journal reflects that the same insertion (into the title of HB 4901) of the full title of the Revised Judicature Act of 1961 and that the Senate agreed to insertion of the full title of the Revised Judicature Act into the bill.

Then, the Journal of the House reflects that an attempt to convene a session of the House was made on December 31, 2024 but that no action could be taken due to the lack of a quorum of House members. House Journal No. 89[13] at page 2079 recorded the inability to conduct business for lack of a quorum, as follows:

> House Chamber, Lansing, Tuesday, December 31, 2024.
>
> 1:30 p.m.
>
> The House was called to order by the Speaker Pro Tempore.
>
> The roll was called by the Clerk of the House of Representatives, who announced that a **quorum** was **not present**. [Emphasis added.]

[13] House Journal No. 89 for December 31, 2024 is available at <https://www.legislature.mi.gov/documents/2023-2024/journal/House/pdf/2024-HJ-12-31-089.pdf>(last accessed April 28, 2026).

The House Journal then states that a message had been received from the Senate as to its passage of HB 4900 and HB 4901, with the amendment of each bill's title by inserting the full the title of the Revised Judicature Act of 1961 into each bill. The following information is stated at page 2082 of the House Journal:

> **House Bill No. 4900, entitled** [Boldface emphasis in original.]
>
> A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 4011, 4012, 4015, 4031, 4061a, 6023, 6027, 6059, and 6104 (MCL 600.4011, 600.4012, 600.4015, 600.4031, 600.4061a, 600.6023, 600.6027, 600.6059, and 600.6104), section 4011 as amended and section 406la as added by 1994 PA 346, section 4012 as amended by 2015 PA 14, and section 6023 as amended by 2012 PA 553, and by adding sections 4001a, 4032, 4033, 6001a, 6023b, 6023c, 6023d, 6023e, 6023f, and 6023g.
>
> The Senate has passed the bill and pursuant to Joint Rule 20, inserted the full title
>
> The House agreed to the full title.
>
> The bill was referred to the Clerk for enrollment printing and presentation to the Governor on December 23, 2024.
>
> **House Bill No. 4901, entitled** [Boldface emphasis in original.]
>
> A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 5451 (MCL 600.5451), as amended by 2012 PA 451.
>
> The Senate has passed the bill and pursuant to Joint Rule 20, inserted the full title.
>
> The House agreed to the full title.
>
> The bill was referred to the Clerk for enrollment printing and presentation to the Governor on December 23, 2024.

Despite the statements in House Journal No. 89 that the House agreed to the use of the full title on both bills, it is common knowledge that disgruntled House Members walked out of the House Chambers on December 19, 2024 and that no session of the House in the 102nd Legislature with a quorum able to vote on bills was ever assembled after December 19.

Therefore, there was never a quorum of House Members to agree to any amendments of the titles to HB 4900 and HB 4901, as passed by the Senate on December 20, 2024.

Under Rule 20 of the Joint Rules of the Senate and House of Representatives for the 102nd Legislature, the final clean-up of the bills for printing and presentation to the governor required the House to agree to use of the full title and to the amended title, as inserted by the Senate. Rule 20 indicates that the house other than the house of origin shall replace the short title of the act being amended (such as the Revised Judicature Act of 1961) with the full title of such act. However, the relevant paragraph of that rule (i.e., the third paragraph) explicitly provides as follows regarding the amending of the title to a bill: "The full title and amended title **shall be agreed to by both houses**." (emphasis added.) That final necessary step in the reconciliation of the two versions of HB 4900 and HB 4901 by the Legislature **was omitted**. It is true that House Journal No. 89 mentions the Senate's amendment of the title for each bill and then states: "The House agreed to the full title." However, there was not really an agreed amendment to the title of the bills by the House because there was no quorum of House members who could have acted to approve the amendments to the titles to the bills. Moreover, the House Journal did not set forth the wording of the addition being made to each title.

That omission meant that the two chambers of the legislature did not formally adopt identical versions of the two bills. Each bill lacked the complete agreement between the House and Senate versions necessary for finalizing the bills and for presenting them to the governor. For those reasons, neither HB 4900 nor HB 4901 was finally and properly passed by the 102nd Legislature.

Because there was no actual passage by the House of the same versions of the two bills (with the same titles), the matter of passing HB 4900 and 4901 was never completed. There were no identical versions of either bill ever passed by the 102nd Legislature and no properly completed versions of HB 4900 or 4901 that could be presented to the Governor. Therefore, as to HB 4900 and HB 4901, there exists no basis for ordering the Michigan House to present the fully-passed bills to the Governor. There has never existed in this matter a properly passed version of either HB 4900 or HB 4901 that could be presented to the Governor. For that reason, the portion of the opinion of the Court of Appeals calling for a mandate to the Michigan House for presentment of HB 4900 and HB 4901 should be reversed and the claims of Plaintiffs-Appellees as to HB 4900 and HB 4901 should be dismissed.

CONCLUSION AND RELIEF REQUESTED

For the reasons stated above. it would be appropriate for this Court to grant Defendants-Appellants' Application for Leave to Appeal in this matter and/or otherwise review the issues in this case and grant the ultimate relief sought by Defendants-Appellants, including holding that Plaintiffs-Appellees' claims in this matter should be dismissed and that Plaintiffs-Appellees are not entitled to a writ of mandamus requiring the presentment to the Governor of HB 4900, HB 4901, or any of the other House bills that are the subject of this case.

Respectfully submitted,

/s/ Roger L. Premo
Roger L. Premo (P-19083)
Attorney for Amicus Curiae,
The Michigan Creditors Bar Association,
31547 W. Thirteen Mile Road
Farmington Hills, MI 48334
(248) 566-3237
rogerp234@yahoo.com

Dated: April 29, 2026

CERTIFICATE OF COMPLIANCE

I certify that this brief complies with the word limitation of MCR 7.212(B)(1), as incorporated by MCR 7.305(F) and MCR 7.312. The brief contains 6,372 words, excluding the parts of the brief exempted by MCR 7.212(B)(2).

/s/ Roger L. Premo
Roger L. Premo (P-19083)

Dated: April 29, 2026

INDEX OF EXHIBITS

Exhibit 1

AFSA
AMERICAN FINANCIAL SERVICES ASSOCIATION

December 27, 2024

The Honorable Gretchen Whitmer
Governor of Michigan
P.O. Box 30013
Lansing, Michigan 48909

Re: VETO OF HB 4900

Dear Governor Whitmer,

I write on behalf of the American Financial Services Association (AFSA)[1], the primary national trade association for the consumer credit industry. AFSA respectfully requests that HB 4900, passed by the Michigan Legislature during the 2024 lame duck session, not be signed into law.

AFSA members have a large footprint in Michigan and today provide Michiganders with approximately $20 billion in credit access, helping families achieve their financial goals and manage unforeseen expenses. Unfortunately, credit will become far more difficult for working families to access if HB 4900 becomes law. As explained below, that legislation–a wholesale rewrite of debt collection practices in Michigan—was passed suddenly, during a chaotic lame duck legislative session, and without the careful deliberation it deserves. In addition to damaging Michigan's reputation as a stable environment in which both consumers and businesses can thrive, the passage of HB 4900 risks codifying troublesome provisions that inexplicably shield high earners from collection practices, while at the same time making credit less available for those who need it most.

AFSA and its members understand that debt collection requires a careful balance between preserving the integrity of lending and protecting the ability of borrowers to achieve financial health and support their families. However, HB 4900 undermines both of those important goals. Its damaging effect should be avoided, and it should not become law.

Troublesome Legislative Process

At the outset, AFSA and its members are alarmed by the abrupt manner in which HB 4900 advanced through the Michigan Legislature. This bill was first introduced on July 18, 2023, and referred to the House Committee on Insurance and Financial Services. HB 4900 then sat dormant for 18 months. The House Committee heard exactly no testimony on the bill, much less held a vote or considered any

[1] Founded in 1916, AFSA, based in Washington, D.C., is the primary trade association for the consumer credit industry, protecting access to credit and consumer choice. AFSA members provide consumers with many kinds of credit, including direct and indirect vehicle financing, traditional installment loans, mortgages, payment cards, and retail sales finance. AFSA members do not provide payday or vehicle title loans.

1750 H Street NW, Suite 650, Washington, DC, 20006 ▲ 202.296.5544 ▲ www.afsaonline.org ▲ @AFSA_DC

amendments. Then, late in the evening of a rare Friday session, during the lame duck period, the Michigan House discharged the bill from the Committee, adopted a substitute that the public had no opportunity to review, and passed the bill without bipartisan support. The precise time of passage by the House was after 9:00 P.M. on Friday, December 13. Notably, a member of the Michigan House later told the media that around this time, "we had been sitting there, and sitting there, and sitting there, … We're voting on bills that had never been through committee… they were trying to confuse people on bills. People didn't read anything. Amendments were popping up, and people didn't know what the amendments were. It was crazy."

HB 4900 was later passed by the Michigan Senate in what news reports have called the longest legislative session in Michigan history, which spanned nearly 30 hours (by our count, the Senate did not pass HB 4900 until approximately the 26th hour).

Respectfully, those facts do not reflect a policymaking process under which a complicated and complete revision of the Michigan collection laws should be enacted. HB 4900 amends *9 distinct sections* of the Revised Judicature Act and *adds 10 new sections of law* that do not currently exist. It alters the process by which collection lawsuits should be resolved, amends exemptions for the attachment and levy provisions, changes wage garnishment, and places new requirements on depository institutions and the Michigan Department of Treasury. It would require implementation of these many changes on a rapid 180-day timeline. It is simply not legislation that can be responsibly crammed through at the last hour of a legislative session—not without posing serious harm.

AFSA members operate in all 50 states and are constantly adapting to legal and regulatory changes. Legal reforms are not new to us. While AFSA continues to hold the State of Michigan and your leadership in high regard, to enact such sweeping legal changes through a rushed, closed-door process is simply inconsistent with the business environment in which our members hope to operate. For that reason alone, AFSA respectfully asks that HB 4900 not be signed into law.

Indefensible Provisions and Harmful Effect to Michigan's Credit Environment

Given the inadequate process explained above, it is no surprise that HB 4900 was passed by the Legislature with certain provisions that are difficult to justify, and implications that will most harm Michigan's working families.

Most inexplicably, HB 4900 would amend Section 4032(2)(a)(ii) of the Revised Judicature Act to limit to 15% the amount of disposable (post-deductions) wages that can be garnished—*regardless of a debtor's income level*. That is a decrease from the current 25% that can be garnished. In other words, HB 4900, while attempting to shield certain amounts from garnishment, offers identical protections to multi-millionaires and those earning $40,000 or less per year. AFSA can think of no justification for providing additional debt-relief to high-earning-individuals.

HB 4900 will also greatly limit how financial institutions offer credit products. In response to the increased risk of non-recovery, lenders will be forced to tighten credit requirements, raise interest rates, and reduce the availability of credit products. This will restrict access to affordable credit for consumers who need it most, particularly those with lower credit scores. In extreme cases, lenders might scale back lending altogether in Michigan, creating a significant gap in credit access for vulnerable populations.

A survey of AFSA members that would be most affected by HB 4900 illustrates the scale of the problem. Those members, who report thousands of potentially affected accounts, explain that the reduction in recovery that will be caused by HB 4900 will lead to:

- Fewer credit options for borrowers, particularly those with lower credit scores;
- Higher interest rates as lenders attempt to mitigate the increased risk;
- Repayment periods that will more than double, leaving debtors with higher repayment obligations because interest on their debts will accrue for much longer;
- A rise in delinquencies and defaults, compounding financial challenges for working Michigan families.

Studies confirm the damaging effect that HB 4900 will have on borrowers. A 2017 New York Federal Reserve study found that restricting collection activities leads to a significant decrease in auto and credit card originations, deterioration in household financial health, and reduced credit access for borrowers with low credit scores.[2] The Philadelphia Federal Reserve noted that increases in garnishment exemptions correlate with lower recovery rates and reduced availability of revolving credit.[3] Evidence published in the Journal of Finance shows that collection restrictions often push consumers toward higher-cost, less-regulated forms of credit, such as payday loans.[4]

Conclusion

HB 4900 would have devastating effects on AFSA members in Michigan and the consumers they serve. Given its drastic changes, and the lack of transparency surrounding its passage in the middle of a chaotic lame duck session, its enactment into law would serve as an unfortunate deterrent to other AFSA members looking to expand their businesses into Michigan and offer affordable credit.

We urge you to consider the consequences of HB 4900 on Michigan's credit market, its consumers, and national perceptions of Michigan's business environment. AFSA appreciates that collection laws must protect the integrity of the credit system, including the ability of lenders to collect outstanding loan

---

[2] Bharath, S. A., S. D. Chava, and L. J. Kogan, *The Impact of Debt Collection Restrictions on Credit Market Outcomes*, Staff Report No. 814, Federal Reserve Bank of New York, 2017, available at https://www.newyorkfed.org/medialibrary/media/research/staff_reports/sr814.pdf

[3] Baker, D., and J. L. Haughwout, *The Impact of Credit Access on Household Debt and Well-Being*, Working Paper No. 20-06, Federal Reserve Bank of Philadelphia, 2020, available at https://www.philadelphiafed.org/-/media/frbp/assets/working-papers/2020/wp20-06.pdf.

[4] *The Journal of Finance*, 78(1), available at https://afajof.org/issue/volume-78-issue-1/

amounts, while ensuring that borrowers are able to access safe, affordable credit. Unfortunately, HB 4900 undermines those important objectives.

AFSA stands ready to work with your administration and the Legislature in an open exchange, to seek solutions that support Michigan's working families without hindering their access to affordable credit. Thank you for your consideration of our comments. If you have any questions or would like to discuss this further, please do not hesitate to contact me at erayhan@afsamail.org or (805) 501-8873.

Sincerely,

Elora Rayhan
AFSA State Government Affairs
American Financial Services Association
1750 H Street, NW, Suite 650
Washington, DC 20006-5517

Exhibit 2

JOINT RULES OF THE
SENATE AND HOUSE OF REPRESENTATIVES

Transmission of Messages.

Rule 1. All messages necessary for conducting legislative business between the two houses shall be communicated in writing and electronically by the Secretary of the Senate and the Clerk of the House of Representatives.

Amendments.

Rule 2. It shall be in the power of either house to amend an amendment made by the other to any bill or resolution.

Conference Committees.

Rule 3. (a) The house not concurring in the amendments of the other house shall appoint conferees and notify the amending house of its action through written communication. The amending house shall request return of the bill or resolution or appoint conferees. The conference committee shall consist of three members from each house, to be appointed as each house may determine. The first named member of the house in which the bill or resolution originated shall be chairperson of the conference committee. Upon appointment of conferees by both houses, the bill or resolution shall be referred to the conference committee. When one house amends or substitutes a bill that has been returned for concurrence from the other house, but then non-concurs in that bill as amended or substituted, those amendments or that substitute shall not be referred to the conference committee. The conference committee shall serve until the conference report has been adopted by both houses or rejected by a house.

(b) The conference committee shall consist of committees of the two houses with those two committees voting separately while in conference. The adoption of a conference report shall require concurring majorities of the members of each house. The conference committees of the two houses shall vote separately while in conference. The majority of each committee shall constitute a quorum of each committee and shall determine the position to be taken toward the propositions of the conference committee. If the conferees agree, a report shall be made which shall be signed by at least a majority of the conferees of each house who were present and voted in the conference committee meeting to adopt the report. The bill or resolution, including the original signed conference report and three copies, shall be filed in the house of origin where the question shall be on the adoption of the conference report. If the conference report is adopted in the house of origin, the bill or resolution, including the original signed conference report, and two copies of the conference report shall be transmitted to the other house where the question shall be on the adoption of the conference report. If the conference report is adopted in the other house, the bill or resolution and the original signed copy of the conference report shall be returned to the house of origin and referred for enrollment printing and

presentation to the Governor, filing with the Secretary of State, or filing for record with the Secretary of the Senate or Clerk of the House of Representatives.

Conference Committee Clerk.

Rule 4. The conference committee clerk shall be from the house of origin, who shall notify the Secretary of the Senate and the Clerk of the House of Representatives of all scheduled meetings for public posting and shall deliver written notice to each member of the conference committee and the majority and minority leaders of each house indicating the time and place of all scheduled meetings. Conference committees on appropriation bills may use fiscal agency personnel from the same house as the Chairperson for clerks.

Conference Report: Rejection.

Rule 5. If the conference report is rejected by the house of origin, it shall appoint second conferees and notify the other house of its action. The procedure shall then be the same as for an original conference.

If the conference report is rejected by the other house, it shall appoint second conferees, notify the house of origin of its action, and transmit the bill or resolution to the house of origin. Upon receipt of the bill or resolution, the house of origin shall appoint second conferees and refer the bill or resolution to the second conference committee. The procedure shall then be the same as for an original conference.

Disagreement of Conferees.

Rule 6. If the conferees are unable to agree, a report of that fact shall be made to both houses. The report, that the conferees were unable to agree, shall be signed by at least a majority of the conferees of each house who were present and voted in the conference committee meeting to adopt the report. The bill or resolution, including the original signed conference report that the conferees were unable to agree, and three copies shall be filed in the house of origin. Both houses shall appoint second conferees, and the house of origin shall refer the bill or resolution to the second conference committee. The procedure shall then be the same as for an original conference.

Second Conference: Failure.

Rule 7. When a second conference committee fails to reach agreement, or when a second conference report is rejected by either house, no further conference is in order.

Power of Conferees.

Rule 8. The conference committee shall not consider any matters other than the matters of difference between the two houses.

For all bills making appropriations, adoption of a substitute by either house shall not open identical provisions contained in the other house-passed version of the bill as a matter of difference; nor shall the adoption of a substitute by either house open provisions not contained in either house version of the bill as a matter of difference.

When the conferees arrive at an agreement on the matters of difference that affects other parts of the bill or resolution, the conferees may recommend amendments to conform with the agreement. In addition, the conferees may also recommend technical amendments to the other parts of the bill or resolution, such as, necessary date revisions, adjusting totals, cross-references, misspelling and punctuation corrections, conflict amendments for bills enacted into law, additional anticipated federal or other flow through funding, and corrections to any errors in the bill or resolution or the title.

Adoption of Conference Report.

Rule 9. Conference reports shall not be subject to amendments or division. The vote on conference reports shall be taken by "yeas" and "nays" and shall require the same number of votes constitutionally required for passage of the bill or adoption of the resolution. Conference reports shall not be considered until printed in the Journal. The Journal printing requirement may be suspended by a house by a majority vote in that house, provided that a copy of the conference report has been made available to each Member.

Conference Reports: Points of Order.

Rule 10. Points of order regarding conference reports shall be decided by the presiding officer, subject to an appeal, which appeal shall be determined by a majority vote. When a conference report is ruled out of order, the conference report is returned to the originating conference committee with instructions to eliminate from the report such matters as have been declared not within the powers of the conferees to consider.

Either House May Recede.

Rule 11. At any time while in possession of the bill or resolution, either house may recede from its position in whole or in part, and the bill or resolution upon request may be returned to the other house for that purpose. If this further action is agreed to by both houses, the bill or resolution shall be referred for enrollment printing and presentation to the Governor, filing with the Secretary of State, or filing for record with the Secretary of the Senate or Clerk of the House of Representatives.

Correction of Errors.

Rule 12. If errors are found in a bill or resolution which has been passed or adopted by both houses, the house in which the bill or resolution originated may make amendments to correct the errors and shall notify the other house of its action. If the corrective amendments are agreed to by the other house, the corrected bill or resolution shall be referred for enrollment printing and presentation to the Governor, filing with the Secretary of State, or filing for record with the Secretary of the Senate or Clerk of the House of Representatives.

In addition, the Secretary of the Senate and Clerk of the House of Representatives, as the case may be, shall correct obvious technical errors in the enrolled bill or resolution, including adjusting totals, misspellings, the omission or redundancy of grammatical articles, cross-

references, punctuation, updating bill or resolution titles, capitalization, citation formats, and plural or singular word forms.

Bills and Joint Resolutions.

Rule 13. Upon introduction, no bill shall include catch lines, a severing clause, or a general repealing clause, as distinguished from a specific or an express repealing clause. The Secretary of the Senate and the Clerk of the House of Representatives shall delete such catch lines and clauses from all bills.

The same joint resolution shall not propose an amendment to the Constitution on more than one subject matter. However, more than one section of the Constitution may be included in the same joint resolution if the subject matter of each section is germane to the proposed amendment.

Yeas and Nays.

Rule 14. The yeas and nays shall be taken and printed in the Journal of the house taking action upon the passage or adoption of any bill, joint resolution, conference report, and amendments made by the other house to a bill or joint resolution.

No Members Present.

Rule 15. In the event the presiding officer and all members are absent on a day scheduled for meeting, the Secretary of the Senate or the Clerk of the House of Representatives, as the case may be, shall call that house to order at the designated time and announce the absence of a quorum. That house shall be declared adjourned until the succeeding legislative day and hour previously designated.

In any event where either or both houses of the Legislature adjourns to a date certain for more than two days, the Majority Leader of the Senate and the Speaker of the House of Representatives may, by a unanimous agreement, convene either or both houses of the Legislature at any time in case of emergency.

If a gubernatorial appointment that is subject to the advice and consent process is made at a time such that 60 days would lapse during an extended recess of the Senate, the Senate Majority Leader may schedule a session of the Senate for the sole purpose of carrying out the Senate's constitutional duties to advise and consent on gubernatorial appointments. No other action shall be taken by the Senate during session convened under this provision. The Senate Majority Leader shall notify the Secretary of the Senate at least 10 calendar days prior to the date of the scheduled session, and the Secretary of the Senate shall take all reasonable steps to notify the members of the Senate of the scheduled session.

Passage, Adoption, and Enrollment Printing.

Rule 16. Every bill passed or joint resolution adopted by both houses and returned to the house of origin shall forthwith be enrolled and signed by the Secretary of the Senate and the Clerk of the House of Representatives. Enrolled bills shall be presented to the Governor, and

enrolled joint resolutions that propose an amendment to the Constitution shall be filed with the Secretary of State with a certificate attached to the effect that the joint resolution has been adopted by the Senate and House of Representatives, respectively, in accordance with the provisions of the Constitution. If the house having last passed the bill or adopted the joint resolution requests its return and such request is granted or a motion is made in the house of origin to amend errors in the bill or joint resolution or to give the bill immediate effect, the enrollment printing shall not occur.

Every bill, joint resolution, and concurrent resolution passed or adopted by either house shall be transmitted to the other house unless a motion for reconsideration is pending.

Immediate Effect.

Rule 17. Whenever both houses, by the constitutional vote, order that a bill take immediate effect, a statement shall be added at the enrollment of the bill in words to this effect: "This act is ordered to take immediate effect."

Joint Resolutions.

Rule 18. Joint resolutions shall be used for the following purposes:

1. Amendments to the Constitution of Michigan.

2. Ratification of amendments to the Constitution of the United States submitted by the Congress.

3. Matters upon which power is solely vested in the Legislatures of the several states by the Constitution of the United States.

Joint resolutions proposing amendments to the Constitution of Michigan shall require a 2/3 vote of the members elected and serving in each house for adoption. Other joint resolutions shall require a majority of the members elected and serving in each house for adoption. All joint resolutions shall require a record roll call vote.

Veto Override: Filing with Secretary of State.

Rule 19. When a bill is passed by both houses over the objections of the Governor or a bill is not filed by the Governor with the Secretary of State within the constitutionally mandated 14-day period, and the Legislature continues in session, an official enrolled bill with a letter from the house of origin signed by the Secretary of the Senate or the Clerk of the House of Representatives, as appropriate, shall be filed with the Secretary of State for a public act number to be assigned. The letter shall certify that the Governor's veto has been overridden by both houses of the Legislature or that the bill has not been returned within the specified time, as the case may be, in accordance with the provisions of the Constitution.

Section Numbers of Compiled Laws - Amendments.

Rule 20. The title of every bill to amend or repeal existing laws shall be clear and explicit so as to definitely fix what is proposed to be done. Such title shall refer to the act number

and the year in which it was passed. If the bill was passed at an extra session of the Legislature, the title shall designate which extra session.

Such title shall contain the last title of the act it is proposed to amend. However, the short title (e.g., This act shall be known and may be cited as "The revised judicature act of 1961,") shall be used in acts where it has been defined by legislative enactment. The title shall also contain the chapter, part numbers and compiler's section numbers, if any, and the year of the compilation containing the same.

Following the passage of a bill with a short title, the house other than the house of origin shall replace the short title with the last full title of the act it is proposed to amend or repeal. Other corrective amendments to the title shall be made as may be necessary. The full title and amended title shall be agreed to by both houses.

When an amendment to a bill or a bill to amend an existing law is printed, words proposed to be added to such law shall be printed in bold type, and the words to be omitted shall be printed in stricken-through type. This style requirement also applies to joint resolutions that amend the Constitution of Michigan.

All bills and joint resolutions introduced, amendments to joint resolutions, substitute bills and joint resolutions, and conference committee reports shall be approved as to form and section numbers by the Legislative Service Bureau.

Tie-bars.

Rule 21. A bill or resolution that is tie-barred to a request number shall not be considered for passage or adoption unless that tie-barred request item has been introduced. No bill or resolution shall be passed or adopted by either house until the tie-barred item has been designated in the appropriate blank space provided.

Elections in Joint Convention.

Rule 22. Whenever there is an election of any officer in joint convention, the result shall be certified by the President of the Senate and the Speaker of the House of Representatives. The results shall be announced by the presiding officers to their respective houses, printed in the Journal of each house, and communicated to the Governor by the Secretary of the Senate and the Clerk of the House of Representatives.

Legislative Handbook.

Rule 23. The initial appointment of the standing committee members of the two houses shall be printed in their respective Journals as soon as possible after the announcement. The Secretary of the Senate and the Clerk of the House of Representatives shall prepare and have printed a legislative handbook containing these appointments and other information they deem appropriate.

Compensation.

Rule 24. Compensation for members, officers, and employees of the Legislature shall be delivered to the Secretary of the Senate or Clerk of the House of Representatives, as the case may be, and transmitted directly to the payee.

If the office of a member of the Legislature becomes vacant, the compensation for the elected successor shall begin on the date of his or her oath of office.

Committee Expenses.

Rule 25. No committee created by concurrent resolution shall incur expenses in excess of $2,500.00 unless authorized in the resolution creating that committee.

Final Adjournment of Regular Sessions.

Rule 26. In the regular session in each year, this rule for adjournment shall govern.

The Majority Floor Leader of the Senate and/or the Majority Floor Leader of the House of Representatives shall introduce a concurrent resolution providing for an adjournment schedule for the Legislature for that regular session.

Daily Adjournment.

Rule 27. Neither house shall remain in session on any legislative day beyond 12:00 midnight. If either house is in session at 12:00 midnight, the presiding officer shall declare that house adjourned until a fixed hour for meeting on the next legislative day. That house shall stand adjourned until the next fixed meeting time.

Pending Business.

Rule 28. Any business, bill, or joint resolution which has not been defeated by either house shall be considered pending under the provisions of Article 4, Section 13 of the Constitution.

It shall not be in order for either house, by suspension of rules or any other means, to reconsider in a subsequent year the vote by which any business, bill, joint resolution, or veto override was defeated in a previous year unless there is a pending motion to reconsider offered in the odd-numbered year.