

No. 17  
STATE OF MICHIGAN  
**Journal of the Senate**  
102nd Legislature  
REGULAR SESSION OF 2023

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Senate Chamber, Lansing, Thursday, February 16, 2023.

10:00 a.m.

The Senate was called to order by the President, Lieutenant Governor Garlin D. Gilchrist II.

The roll was called by the Secretary of the Senate, who announced that a quorum was present.

Albert—present  
Anthony—present  
Bayer—present  
Bellino—present  
Brinks—present  
Bumstead—present  
Camilleri—present  
Cavanagh—present  
Chang—present  
Cherry—present  
Daley—present  
Damoose—present  
Geiss—present

Hauck—present  
Hertel—present  
Hoitenga—present  
Huizenga—present  
Irwin—present  
Johnson—present  
Klinefelt—present  
Lauwers—present  
Lindsey—present  
McBroom—excused  
McCann—present  
McDonald Rivet—present  
McMorrow—present

Moss—present  
Nesbitt—present  
Outman—present  
Polehanki—present  
Runestad—present  
Santana—present  
Shink—present  
Singh—present  
Theis—present  
Victory—present  
Webber—present  
Wojno—present

Senator Dan Lauwers of the 25th District offered the following invocation:

Heavenly Father, we thank You for this day. We thank You for the blessings You grant us and the privilege of meeting here in this chamber, charged with the responsibility of making this state better for those who follow us. Grant us humility and guidance as we deliberate the day's issues before the Legislature. We pray the Lord will bless our Governor, Lieutenant Governor, and each member of this chamber with health, wisdom, and kindness in all that we do. Amen.

The President, Lieutenant Governor Gilchrist, led the members of the Senate in recital of the *Pledge of Allegiance*.

### **Motions and Communications**

Senator Irwin entered the Senate Chamber.

Senator Singh moved that Senators Geiss and Santana be temporarily excused from today's session. The motion prevailed.

Senator Lauwers moved that Senator McBroom be excused from today's session. The motion prevailed.

By unanimous consent the Senate proceeded to the order of  
**Statements**

Senators Geiss and Santana entered the Senate Chamber.

The President of the Senate made a statement and requested that it be printed in the Journal.

The President's statement is as follows:

Senators, today we are going to take a special course of order to call for remembrance in solidarity with everyone connected to Michigan State University in the wake of the tragedy we all saw. Michigan State is a uniquely Michigan institution, one of the few that like this body is connected to all of us. All 83 counties have a connection to Michigan State University; all 38 districts have a connection to Michigan State University. So it's only appropriate that all of us come together to not only recognize with a moment of silence and remember those who have been impacted, who have been hurt, and who have been lost, but we also come together to recognize all of the tools we have at our disposal to make sure nothing like this ever happens again.

A moment of silence was observed in memory of the victims of the shooting at Michigan State University.

### **Recess**

Senator Singh moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 10:05 a.m.

11:13 a.m.

The Senate was called to order by the President, Lieutenant Governor Gilchrist.

Senators Singh, Bayer, Camilleri, Moss, Anthony, Webber, Runestad and Brinks asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal. The motion prevailed.

Senator Singh's statement is as follows:

Monday night was the toughest part of my professional career. As we all know, Michigan State University and our surrounding communities were devastated by gun violence. I have lived in East Lansing for the last 34 years and have been proud to represent it for over 18 years in different capacities. It pains me to watch the university that I love—the students, the faculty, the staff—being in such pain. Our communities across the region were all on lockdown and didn't know what to do. I know that everyone here in this body has been impacted, because you have people that you know, that you love, that go to Michigan State University—you might have children that go there, you probably were, some of us are alums.

So yesterday and the day before as we sort of process what happened on Monday, I've asked myself what could I do to best represent a community that is in pain? I said to myself, I want to be a person who listens and helps people process their grief. I do want to thank the first responders who are not only from Michigan State University, East Lansing, and Lansing, but came from across the region, and some places as far as Oakland County to come up here and deal with the situation.

I want to thank the doctors and nurses who just showed up at Sparrow because they knew they were going to be needed. I want to thank those students who listened to the commands about staying in place, those that protected one another, those that barricaded whatever they could to protect one another. I thank them for being there for one another.

Yesterday we had a group of students that came to the Capitol to speak to us. We also held a vigil where we prayed in the evening and heard from our student leaders on campus as well. If you didn't have a chance to be at the vigil, to join in prayer, or if you didn't have a chance to be out on the Capitol steps, I want to share with you what those students were sharing with us; and they are echoed by their parents, they're echoed by the members of my community that were impacted by Monday's events. One by one—and I don't know the number, it could have been 80 to 100—they went up to the Capitol steps and they spoke about their experience of what happened. They all talked about their first time of understanding—about gun violence, because they were all in elementary school when Sandy Hook happened. They talked about that they were in high school when Parkland happened. And they talked about where they were when they heard about their friends—and many of them had friends who were in Oxford just 14 months ago. They talked about the drills that they have gone through over the years to prepare themselves, and they told us one by one that it did not prepare them for what had happened to them on Monday night.

I'm just beginning that journey because my 5-year-old who is in kindergarten has gone through an active shooter drill and then yesterday had to understand why he wasn't in school on Tuesday. So, those students are grieving. They want you to know that they want to be seen. They want to be heard. They don't want to be lectured. They don't want to be told what can be done—what can't be done. They just want to be heard.

All of our districts have Michigan State students. I think many of them will be coming to the Capitol over the weeks to come, and I hope that you open your doors to them and that you listen. Just listen. They are grieving. They want to be able to deal with this issue, and so I just want to say over the next few weeks we are going to be talking about bills. Those students want us to be able to talk about those bills. They are bipartisan in nature. These are bills that have been implemented in places like Florida and Indiana. They want to see some type of action, and if they can be done in those type of states we can have those be done here as well. I want you to open your hearts to that, to others who are supportive to some of these bills, they want you to be careful about the language that you use because they want to bring people together to find solutions as we move forward. So please, know that the language that you are using is being watched by the students, the families, the community members, and that we can use this horrible situation to come together as a state and to be able to do things that will allow for change. As I said to a group of students that I met with yesterday, we will mourn, we will heal, and we will act. I hope that we can all do that together.

Senator Bayer's statement is as follows:

Colleagues, it's been a rough week. Some of us have not gotten much sleep. Some of you probably have not gotten much sleep. I hardly know what to say today because we've said it so many times. Our thoughts and prayers, never again, end gun violence before another child is shot. We've said those things, we've heard those things, and yet here we are again. Here we are again. More lives lost right here in our yard, right here at Michigan State—Arielle Anderson, Brian Fraser, Alexandria Verner, and five more Michigan State students critically wounded, and thousands of family members, friends, loved ones, fellow students, teachers, staff, all the members of the community are all wounded. They'll never be the same. Kids in Michigan now are afraid all the time. They're taught from the time they're four years old what to do when there's a shooter in their school.

Guns are the No. 1 cause of death for children and young adults today—the No. 1 cause of death. Our MSU students this week were told to execute what they've been practicing for years—Hide, Run, Fight. It didn't work; it doesn't work. And eight more kids were shot. Three died. All over Michigan, families, whole

communities, Oxford, Pontiac, so many cities, and now our MSU community and their families, folks in East Lansing and Lansing, so many gun violence survivors. 1,200 people per year now in Michigan die of gunshot. All those people, our people, will never forget the terror, the fear, the heart-rending loss of their loved ones. As a gun violence survivor myself, I know first hand you never forget. At the sit-in yesterday, there were a lot of people here from Oxford. There were a lot of my people here. And we cried, everybody just cried.

So here we are today, literally in our back yard, our people, our children, shot, horribly wounded, killed with gunfire. I would wager everyone here has a connection to Michigan State, to the people there, a connection to a family member. Think about their pain. Think about the students, think about what their families and friends and classmates are going through. You see, we're all survivors now. This is us. This is our yard. This is our people. Even if you don't know any of those victims personally, that's our school. That's our community. We will remember this; you will remember this moment, this event, for the rest of your lives. We need to listen, we need to hear, we need to feel, for all of our survivors, and we need to act. It is upon us—specifically us here in this room and down the hall, us—to address this horrible problem. I'm not talking about thoughts and prayers—not that thoughts and prayers are bad; never hurts—but we need action now. That's what we heard over and over again yesterday. That's what we heard over and over again in Oxford, over and over again, all over the state.

Today, here's your chance. Now, today, now. We are offering legislation to begin our work to make Michigan safer to protect our kids. Today, now. Today, we have here today, now, basic firearms safety bills that will require safe storage of firearms, ensure we have background checks on all firearm purchase, and make sure those are known by the court to be at risk to themselves or others do not have firearms. Today, right now, you can all choose to sponsor these initial bills to put in place basic rules that are proven to be effective in reducing gun violence, and very soon you will have the opportunity—probably for the first time—to take the next step and vote to put these bills into Michigan law to begin to address this deadly violence here in our state. Now, today, you have the opportunity to be part of the solution to do what the vast majority of people have told us over and over again they want to do what the majority of people in your district want, to be a leader in taking the first steps to actually address this problem.

There is much to do; there is no one silver bullet. This is a big pervasive problem for us, but with all of us working together, we can take steps. We can take as many steps as it takes to fix this. It is our job. Let's do it, now, today.

Senator Camilleri's statement is as follows:

We stand here today once again in the aftermath of a tragic shooting at a school. This time, one that took place only a few miles from this chamber. We send our condolences to the victims and their families, and our prayers are with those still fighting in the hospital down the street. At this moment in time, we are all Spartans.

Mr. President, I want to tell you a story about how gun violence has shaped my upbringing. In March 1993, when I was 1, my tío—my uncle—Manuel was on his way to pick up a few things from a local party store. One bullet was all it took to alter my family forever. My cousins lost a father, my grandparents lost a son, and my mom and aunt lost their older brother that day. The murder case was never solved and there was no justice. Even after all this time, I still see the pain in my mom's eyes when she watches the news and sees another death by gun violence. I see the tears flow easily when my grandparents mention his name. We collectively grieve for his memory and all the tragedy and trauma that has fallen on those around us because of his death. It was senseless and my family will forever wonder why it happened to us.

That same pain—that same pain—has now fallen on another set of Michigan families. When I was 7, Generation Columbine was born, a generation that has grown up with mass shootings as the norm. We've been through the lockdown drills as students with the fear of not knowing whether or not there was an imminent threat. When I was 15 I remember watching the horror at Virginia Tech. When I was 20, I remember Sandy Hook and the babies who were murdered. As a teacher, I led my students in drills that had evolved and become more complex. Where is the nearest exit? How will I fight back? Can I rush all my students out the back staircase? Then there was Parkland, then Oxford, then Uvalde. And now there's MSU. I sat with students yesterday in my office and outside this building. They are traumatized. They will never be the same. They are demanding that we act. Gun violence has shaped our collective experience in ways we must not accept. This is not normal. Over these 30 years—30 years—we've had leaders who have not adapted to the reality we are living in in America. While residents and students have changed everything, they have changed everything about how they have lived, our leadership has been unwilling to meet the challenges of our times and enact laws that will keep our families safe and said they are stuck in this debate over freedom.

But what is freedom when you can't go to a grocery store or a school and feel safe? What is freedom when you can't leave your house without worrying about a stray bullet? What is freedom when your right to life, liberty, and the pursuit of happiness are taken away by someone we all know should never have had a gun in the first place? We all deserve freedom to live in safe communities.

As a man of faith, I was taught that alongside prayer must come action. One cannot pray and expect progress. God commands you to also do your part and act. The reforms we will usher in are not only going to be a response to the calls for action but also a response to the calls for prayer. That is faith. Having the courage to do what is right with the platforms we have been given. We will act when others have refused and we will do so in the name of freedom. When a vote is eventually presented before this body, you will have a decision to make. Will you side with the perpetrators or with the people? Will you act on the countless prayers or will you put guns before children? Will you help stop the senseless violence or continue this cycle of trauma? You have a choice. Michiganders and Americans should not have to say another school name in this way.

In memory of Arielle Anderson, Alexandria Verner, Brian Fraser, my late uncle Manuel Quiroz, and the thousands killed by gun violence every year, we are prepared to do what is right and I urge you to join us.

Senator Moss' statement is as follows:

I can't stop thinking about Berkey Hall. Of the more than 100 academic buildings on MSU's campus, Berkey is not the most modern or the most glamorous by far. When I had my first class there my first semester of my freshman year, it felt like I was walking into an old high school from the 1940s that probably has not been updated since the 1940s. I seem to remember constant rattling from the grates in Berkey during my four years as a Spartan. And yet still, it was one of my favorite buildings on campus. The classes I had in Berkey Hall changed my life, widened my viewpoints, challenged me to think critically, led directly to me studying abroad, and shaped me into who I am today.

Those same opportunities and pathways were stolen from three innocent souls—Arielle, Alexandria, and Brian—and five more who were critically injured as Berkey Hall and the neighboring MSU Union became the latest crime scene of a mass shooting Monday night in East Lansing. These students were doing everything right to enrich their futures—they were in class, they were studying—but in this sick reality we live in, just going to school leaves you vulnerable to gun violence. As we all know there are MSU students who survived this night of terror who also survived shootings in elementary school at Sandy Hook and in high school in Oxford. This is no way to live, with threats of mass shootings becoming more and more predictable and, sadly, even predicted.

When I was a student 16 years ago, my friends and I organized a campus vigil at the MSU Rock following the massacre at Virginia Tech. We thought, we prayed, and we asked how could we prevent the next senseless tragedy? That month—April 2007—the *State News*, our student newspaper, published an editorial stating that gun safety “is not an issue that can sit on the back burner any longer, regardless of how sensitive it is.” And there it has sat for 16 years on the back burner, from Virginia Tech to Sandy Hook to Pulse to Tree of Life to Oxford to Uvalde to MSU.

Each time we have pushed for reform in this room, we were told by the previous majority that this debate would disturb a community in grief, and then nothing happened until the next shooting left another community in grief. Now we are the community in grief. Three Michigan families reeling in loss, thousands of East Lansing students and residents traumatized, and countless Spartan alumni who now view our cherished campus—a place we too called home—with heartache.

I refuse to live in grief without any action. And this new majority will act.

Senator Anthony's statement is as follows:

At 8:18 p.m. on Monday, the first shots were fired at Berkey Hall—as you know, just down the street from this building—at Michigan State University. For many students, faculty, parents, and neighbors here in mid-Michigan, our lives are changed forever. Brian, Alexandria, and Arielle, the names of three beautiful students who lost their lives due to another senseless mass shooting. Others seriously injured at our hospital down the street. Words cannot describe how difficult this has been for our greater Lansing community. Over the past few days, the thing that we've heard most directly from students, as our floor leader mentioned, was that we prioritize their stories, allowed them time to grieve and to mourn.

Now I know sometimes it's very tempting for politicians to not make it about us, our agendas, our moments to go viral, and so in that spirit, I wanted to uplift one other name, a name you may not be familiar with but in some ways is an unsung hero after this week's tragedy. Her name is Aimee Barajas. She is a Lansing resident and an Ingham County dispatch officer. On Monday while many folks were scared and frantic and some of us felt very hopeless, Aimee directed hundreds of first responders, students, concerned parents, and community members. She helped us navigate a complex terrifying situation. She remained calm, professional, and compassionate. So we owe her and so many others a debt of gratitude for her role that she played this week.

Aimee, if you are listening, if any of our dispatch officers are listening, I want you to know that we thank you, we acknowledge your service, and we appreciate the work you did to help us navigate such a tumultuous time.

Senator Webber's statement is as follows:

I rise today grieving the loss of life. As many of you know, my family has grieved this month for the loss of my brother, Tim. As the celebration of his all-too-short life continues, now comes the loss of life at my alma mater, Michigan State University. Many who know me know that I bleed green and white. I was horrified when I first heard the news on Monday night and began to watch and listen to the coverage. I thought about friends and neighbors who have sons and daughters attending Michigan State right now, trying to figure out if their son or daughter were safe.

When I lived on campus, it was Case Hall. I couldn't imagine the thoughts of those students as they barricaded themselves in their rooms. I'm not sure that I could even go back to that room again after that experience. As a student I could recall walking through the halls of the Student Union, having a class at Berkey Hall, these were the places where we shared a meal with a friend, where we studied for a test, listened to a lecture, or even met our future spouse as I did at Michigan State. These are the places where we made memories that we can carry with us to this day. Fellow Spartans, East Lansing community members, fellow Michiganders, I share your grief, I share your pain, and I share your anger for the irreversible physical and mental damage inflicted by an evil man and for the inability of our state and nation to stop this senseless violence.

Mr. President, we must resolve to work together in a bipartisan fashion to offer solutions to help solve this problem. We must take a holistic approach. This can be the first thing that we truly work on as a Michigan State Senate this session, together.

Senator Runestad's statement is as follows:

I rise today to share my condolences for the unthinkable loss of life on the campus of Michigan State University this week. I have personally experienced three generations of family members who graduated from Michigan State—my mother, my sister, and my oldest daughter. I can't even imagine the pain and anguish that they must be feeling, these families, going through the physical and emotional pain inflicted on these innocent young people and their loved ones.

I rise to add my voice to those calling for change. This carnage cannot continue. Our great collective challenge, of course, is to determine how to stop it. I do believe and hope that a starting point for common ground here in the chamber can be stronger enforcement of our existing laws. While the investigation into what happened is still ongoing, it seems clear that this evil man who perpetrated this horrific act should never have been able to get his hands on a gun, and it seems clear that there was a mechanism in the law to prevent him from owning one.

Mr. President, the laws that we pass here in this chamber are only as strong as the people entrusted to enforce them. As we seek to find a solution to these horrific acts of violence, I hope that stronger enforcement of our existing laws is a starting point, again, that we can all agree upon. Thank you, Mr. President, I ask for my comments to be printed in the Journal and that we all pray for the souls that were tragically lost this week.

Senator Brinks' statement is as follows:

As the events of Monday night unfolded on the MSU campus, I watched with dread. I texted and I called my youngest daughter—an MSU student—every 20 minutes or half hour, scared that she would pick up and scared that she wouldn't. We exchanged information. We tried to make sure that she was still okay, that she could find her friends and figure out if they were safe, and figure out if her roommates were. As the hours dragged on, the uncertainty and fear of what was happening and how much worse it might get before it was over was excruciating. And I was lucky, my kid was at her house and she was answering my calls. Throughout our state, tens of thousands of parents were living that same nightmare, knowing no matter how many drills our kids had experienced, nothing could prepare them for what they were going through.

On Tuesday, after working in the Capitol for a few hours, I went to see my daughter. I wanted to check in and just make sure that she was okay. For two hours, she and I and one of her roommates sat in the basement of the house where she lives. The three of us were eating ice cream directly from the box and just talking and absorbing the reality of the tragedy that had happened just a block away from where they were sheltering in place, trying to absorb the randomness of being out of harm's way or being shot to death for no reason.

Yesterday, I had a chance to meet with several student organizers before the sit-in they held out here in front of the Capitol. They talked about how they are hurting, feeling unsafe, trying to make sense where there is none, feeling like nobody is listening to their pain or their pleas for action, and feeling powerless to

keep themselves and those they love safe. They are angry. They are tired. They are tired of asking, for years, for us to do something about gun violence and being met with only inaction time after time. Looking at their exhausted faces, I felt like they were all my kids and I just wanted so badly to undo the previous horrific 48 hours so that they could go back to normal college kid things like cramming for exams, not sleeping enough, and ordering pizza with their friends. As a mom, I just wanted to hug every single one of them and tell them it's going to be okay, even though for some of them I know it's not.

That was me as a mom, but as the Senate Majority Leader I know that we have a duty to meet this moment with action. While we surround our kids with as much love and support as we can possibly find and help them through this traumatic experience, we need to acknowledge that they are counting on us to act with the urgency that this deserves. To those who say it is too soon, that we have to let people mourn and heal first, that we shouldn't be talking about legislation yet, I reject the notion that we cannot do both simultaneously. I ask everyone in this chamber to join me in doing everything in our power to both love and legislate in the coming days and weeks. Let's not let our kids down again.

### **Recess**

Senator Singh moved that the Senate recess subject to the call of the Chair.  
The motion prevailed, the time being 11:46 a.m.

11:59 a.m.

The Senate was called to order by the President, Lieutenant Governor Gilchrist.

By unanimous consent the Senate returned to the order of  
**Motions and Communications**

The following communication was received:  
Office of Senator Mallory McMorrow

February 15, 2023

I request that my name be added as a co-sponsor to Senate Bill 0057 which was introduced by Senator Chang.

Sincerely,  
Senator Mallory McMorrow  
District 8

The communication was referred to the Secretary for record.

Senator Singh moved that rule 2.106 be suspended to allow committees to meet during Senate session.  
The motion prevailed, a majority of the members serving voting therefor.

### **Recess**

Senator Singh moved that the Senate recess until 1:15 p.m.  
The motion prevailed, the time being 12:00 noon.

The Senate reconvened at the expiration of the recess and was called to order by the President, Lieutenant Governor Gilchrist.

### **Recess**

Senator Singh moved that the Senate recess subject to the call of the Chair.  
The motion prevailed, the time being 1:16 p.m.

1:30 p.m.

The Senate was called to order by the President, Lieutenant Governor Gilchrist.

By unanimous consent the Senate proceeded to the order of

**Introduction and Referral of Bills**

Senator McBroom introduced

**Senate Joint Resolution B, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 27 of article IV, to provide that bills or initiative petitions adopted by the legislature take effect upon the expiration of 90 days after the date they are filed with the secretary of state unless given immediate effect by a vote of two-thirds of the members elected to and serving in each house.

The joint resolution was read a first and second time by title and referred to the Committee on Government Operations.

Senators Hauck and Webber introduced

**Senate Bill No. 64, entitled**

A bill to amend 1972 PA 239, entitled “McCauley-Traxler-Law-Bowman-McNeely lottery act,” by amending section 11 (MCL 432.11), as amended by 2012 PA 293, and by adding section 11a.

The bill was read a first and second time by title and referred to the Committee on Regulatory Affairs.

Senators Wojno, Webber, McCann, Shink, Klinefelt, Bumstead, Hauck, Bayer, Chang and Hertel introduced

**Senate Bill No. 65, entitled**

A bill to amend 2014 PA 92, entitled “State essential services assessment act,” (MCL 211.1051 to 211.1061) by adding section 7a.

The bill was read a first and second time by title and referred to the Committee on Finance, Insurance, and Consumer Protection.

Senators Chang, Geiss, Lauwers, Bellino, Bayer, Shink, Wojno, McCann, Cavanagh and Polehanki introduced

**Senate Bill No. 66, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding sections 1508 and 1526b.

The bill was read a first and second time by title and referred to the Committee on Civil Rights, Judiciary, and Public Safety.

Senators Lauwers, Geiss, Chang, Theis, Bellino, Bayer, Shink, Wojno, McCann, Cavanagh and Polehanki introduced

**Senate Bill No. 67, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 90 (MCL 750.90).

The bill was read a first and second time by title and referred to the Committee on Civil Rights, Judiciary, and Public Safety.

Senators Geiss, Lauwers, Chang, Bellino, Bayer, Shink, Wojno, McCann, Cavanagh and Polehanki introduced

**Senate Bill No. 68, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16d of chapter XVII (MCL 777.16d), as amended by 2016 PA 88.

The bill was read a first and second time by title and referred to the Committee on Civil Rights, Judiciary, and Public Safety.

Senators Theis, Geiss, Chang, Lauwers, Bellino, Bayer, Shink, Wojno, McCann, Cavanagh and Polehanki introduced

**Senate Bill No. 69, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding sections 16279 and 16279a.

The bill was read a first and second time by title and referred to the Committee on Civil Rights, Judiciary, and Public Safety.

Senators Johnson, Geiss, Chang, Lauwers, Bellino, Bayer, Shink, Wojno, McCann, Cavanagh and Polehanki introduced

**Senate Bill No. 70, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 13n of chapter XVII (MCL 777.13n), as amended by 2018 PA 583.

The bill was read a first and second time by title and referred to the Committee on Civil Rights, Judiciary, and Public Safety.

Senators Hauck, Geiss, Chang, Lauwers, Bellino, Bayer, Shink, Wojno, McCann, Cavanagh and Polehanki introduced

**Senate Bill No. 71, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 16213, 20175, 20175a, and 20199 (MCL 333.16213, 333.20175, 333.20175a, and 333.20199), sections 16213 and 20175a as added and section 20175 as amended by 2006 PA 481, and by adding sections 16213a, 16429, 17029, 17529, 17829, 17909, and 20175b.

The bill was read a first and second time by title and referred to the Committee on Civil Rights, Judiciary, and Public Safety.

Senators McDonald Rivet, Geiss, Chang, Lauwers, Bellino, Bayer, Shink, Wojno, McCann, Cavanagh and Polehanki introduced

**Senate Bill No. 72, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 13n of chapter XVII (MCL 777.13n), as amended by 2018 PA 583.

The bill was read a first and second time by title and referred to the Committee on Civil Rights, Judiciary, and Public Safety.

Senators Shink, Geiss, Chang, Lauwers, Bellino, Bayer, Wojno, McCann, Cavanagh and Polehanki introduced

**Senate Bill No. 73, entitled**

A bill to amend 1976 PA 442, entitled “Freedom of information act,” by amending section 13 (MCL 15.243), as amended by 2021 PA 33.

The bill was read a first and second time by title and referred to the Committee on Civil Rights, Judiciary, and Public Safety.

Senators Singh, Geiss, Chang, Lauwers, Bellino, Bayer, Shink, Wojno, McCann, Cavanagh and Polehanki introduced

**Senate Bill No. 74, entitled**

A bill to create the office of the higher education sexual assault prevention, advocacy, and resource officer within the department of civil rights; to prescribe the powers and duties of the office, the advocacy officer, and certain state governmental officers and entities; and to provide for an appropriation.

The bill was read a first and second time by title and referred to the Committee on Civil Rights, Judiciary, and Public Safety.

Senator McBroom introduced

**Senate Bill No. 75, entitled**

A bill to implement section 27 of article IV of the state constitution of 1963; and to provide the powers and duties of certain state governmental officers and entities.

The bill was read a first and second time by title and referred to the Committee on Government Operations.

Senators Hertel, Bayer, Cavanagh, Singh, McMorrow, Shink, McCann, Irwin, Wojno, Polehanki, Chang, Moss, Geiss, Camilleri, Klinefelt, McDonald Rivet, Cherry, Santana, Brinks and Anthony introduced

**Senate Bill No. 76, entitled**

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending sections 2, 2a, 2b, 12, and 14a (MCL 28.422, 28.422a, 28.422b, 28.432, and 28.434a), section 2 as amended by 2015 PA 200, section 2a as amended by 2016 PA 301, section 2b as amended by 2014 PA 205, section 12 as amended by 2010 PA 209, and section 14a as added by 2010 PA 295.

The bill was read a first and second time by title and referred to the Committee on Civil Rights, Judiciary, and Public Safety.

Senators Moss, Bayer, Cavanagh, Singh, Hertel, McMorrow, Shink, McCann, Irwin, Wojno, Polehanki, Geiss, Chang, Camilleri, McDonald Rivet, Cherry, Klinefelt, Santana, Brinks and Anthony introduced

**Senate Bill No. 77, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 223 and 232a (MCL 750.223 and 750.232a), section 223 as amended by 2012 PA 242 and section 232a as amended by 1990 PA 321.

The bill was read a first and second time by title and referred to the Committee on Civil Rights, Judiciary, and Public Safety.

Senators Cavanagh, Bayer, Singh, Hertel, McMorrow, Shink, McCann, Irwin, Wojno, Polehanki, Moss, Chang, Geiss, Camilleri, McDonald Rivet, Cherry, Klinefelt, Santana, Brinks and Anthony introduced

**Senate Bill No. 78, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending sections 11b and 16m of chapter XVII (MCL 777.11b and 777.16m), section 11b as amended by 2016 PA 234 and section 16m as amended by 2018 PA 637.

The bill was read a first and second time by title and referred to the Committee on Civil Rights, Judiciary, and Public Safety.

Senators Bayer, Singh, McMorrow, Cavanagh, Hertel, Shink, McCann, Irwin, Wojno, Polehanki, Chang, Moss, Geiss, Camilleri, McDonald Rivet, Cherry, Klinefelt, Santana, Brinks and Anthony introduced

**Senate Bill No. 79, entitled**

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending section 15 (MCL 28.435), as added by 2000 PA 265, and by adding section 9.

The bill was read a first and second time by title and referred to the Committee on Civil Rights, Judiciary, and Public Safety.

Senators McDonald Rivet, Bayer, Singh, Cavanagh, Hertel, McMorrow, Shink, McCann, Irwin, Wojno, Polehanki, Moss, Chang, Geiss, Camilleri, Cherry, Klinefelt, Santana, Brinks and Anthony introduced

**Senate Bill No. 80, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 11b of chapter XVII (MCL 777.11b), as amended by 2016 PA 234.

The bill was read a first and second time by title and referred to the Committee on Civil Rights, Judiciary, and Public Safety.

Senators Irwin, Bayer, Singh, Cavanagh, Hertel, McMorrow, Shink, McCann, Wojno, Polehanki, Chang, Moss, Geiss, Camilleri, McDonald Rivet, Cherry, Klinefelt, Santana, Brinks and Anthony introduced

**Senate Bill No. 81, entitled**

A bill to amend 1933 PA 167, entitled “General sales tax act,” (MCL 205.51 to 205.78) by adding section 4*ll*.

The bill was read a first and second time by title and referred to the Committee on Civil Rights, Judiciary, and Public Safety.

Senators Chang, Bayer, Shink, McMorrow, Hertel, McCann, Irwin, Wojno, Polehanki, Moss, Geiss, Camilleri, McDonald Rivet, Cherry, Klinefelt, Brinks and Anthony introduced

**Senate Bill No. 82, entitled**

A bill to amend 1937 PA 94, entitled “Use tax act,” (MCL 205.91 to 205.111) by adding section 4*ll*.

The bill was read a first and second time by title and referred to the Committee on Civil Rights, Judiciary, and Public Safety.

Senators McMorrow, Bayer, Singh, Cavanagh, Hertel, Shink, McCann, Irwin, Wojno, Polehanki, Chang, Moss, Geiss, Camilleri, McDonald Rivet, Cherry, Klinefelt, Santana, Brinks and Anthony introduced

**Senate Bill No. 83, entitled**

A bill to provide for the issuance of restraining orders prohibiting certain individuals from possessing or purchasing firearms and ordering the surrender and seizure of a restrained individual’s firearms; to provide for the powers and duties of certain state and local governmental officers and entities; to prescribe penalties; and to provide remedies.

The bill was read a first and second time by title and referred to the Committee on Civil Rights, Judiciary, and Public Safety.

Senators Polehanki, Bayer, Singh, Cavanagh, McMorrow, Hertel, Shink, McCann, Irwin, Wojno, Chang, Moss, Geiss, Camilleri, McDonald Rivet, Cherry, Klinefelt, Santana, Brinks and Anthony introduced

**Senate Bill No. 84, entitled**

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending sections 2, 2b, 5b, and 8 (MCL 28.422, 28.422b, 28.425b, and 28.428), section 2 as amended by 2015 PA 200, section 2b as amended by 2014 PA 205, and sections 5b and 8 as amended by 2017 PA 95.

The bill was read a first and second time by title and referred to the Committee on Civil Rights, Judiciary, and Public Safety.

Senators Anthony, Singh, McMorrow, Cavanagh, Hertel, Shink, McCann, Irwin, Wojno, Polehanki, Moss, Chang, Geiss, Camilleri, McDonald Rivet, Cherry, Klinefelt, Santana and Brinks introduced

**Senate Bill No. 85, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” (MCL 760.1 to 777.69) by adding section 15e to chapter XVII.

The bill was read a first and second time by title and referred to the Committee on Civil Rights, Judiciary, and Public Safety.

Senators Singh, Bayer, McMorrow, Cavanagh, Hertel, Shink, McCann, Irwin, Wojno, Polehanki, Moss, Chang, Geiss, Camilleri, McDonald Rivet, Cherry, Klinefelt, Santana, Brinks and Anthony introduced

**Senate Bill No. 86, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 1908, 2529, and 2559 (MCL 600.1908, 600.2529, and 600.2559), section 2529 as amended by 2014 PA 532 and section 2559 as amended by 2018 PA 261.

The bill was read a first and second time by title and referred to the Committee on Civil Rights, Judiciary, and Public Safety.

By unanimous consent the Senate returned to the order of  
**Conference Reports**

**House Bill No. 4001, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending the title and sections 30, 51, 272, and 695 (MCL 206.30, 206.51, 206.272, and 206.695), the title and section 272 as amended and section 695 as added by 2011 PA 38, section 30 as amended by 2022 PA 5, and section 51 as amended by 2020 PA 75, and by adding sections 51h, 476, and 696.

The House of Representatives has adopted the report of the Committee of Conference.

The Conference Report was read as follows:

FIRST CONFERENCE REPORT

The Committee of Conference on the matters of difference between the two Houses concerning  
**House Bill No. 4001, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 30 and 51 (MCL 206.30 and 206.51), section 30 as amended by 2022 PA 5 and section 51 as amended by 2020 PA 75.

Recommends:

First: That the Senate recede from the Substitute of the Senate as passed by the Senate.

Second: That the House and Senate agree to the Bill as passed by the House, amended to read as follows:

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending the title and sections 30, 51, 272, and 695 (MCL 206.30, 206.51, 206.272, and 206.695), the title and section 272 as amended and section 695 as added by 2011 PA 38, section 30 as amended by 2022 PA 5, and section 51 as amended by 2020 PA 75, and by adding sections 51h, 476, and 696.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

TITLE

An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement by lien and otherwise of taxes on or measured by net income and on certain commercial, business, and financial activities; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits, **rebates**, and refunds of the taxes; **to create certain funds; to provide for the expenditure of certain funds; to impose certain duties and requirements on certain officials, departments, and authorities of this state;** to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal acts and parts of acts.

Sec. 30. (1) "Taxable income" means, for a person other than a corporation, estate, or trust, adjusted gross income as defined in the internal revenue code subject to the following adjustments under this section:

(a) Add gross interest income and dividends derived from obligations or securities of states other than Michigan, in the same amount that has been excluded from adjusted gross income less related expenses not deducted in computing adjusted gross income because of section 265(a)(1) of the internal revenue code.

(b) Add taxes on or measured by income to the extent the taxes have been deducted in arriving at adjusted gross income including any direct or indirect allocated share of taxes paid by a flow-through entity under part 4.

(c) Add losses on the sale or exchange of obligations of the United States government, the income of which this state is prohibited from subjecting to a net income tax, to the extent that the loss has been deducted in arriving at adjusted gross income.

(d) Deduct, to the extent included in adjusted gross income, income derived from obligations, or the sale or exchange of obligations, of the United States government that this state is prohibited by law from subjecting to a net income tax, reduced by any interest on indebtedness incurred in carrying the obligations and by any expenses incurred in the production of that income to the extent that the expenses, including amortizable bond premiums, were deducted in arriving at adjusted gross income.

(e) Deduct, to the extent included in adjusted gross income, the following:

(i) Compensation, including retirement or pension benefits, received for services in the Armed Forces of the United States.

(ii) Retirement or pension benefits under the railroad retirement act of 1974, 45 USC 231 to 231v.

(iii) Beginning January 1, 2012, retirement or pension benefits received for services in the Michigan National Guard.

(f) Deduct the following to the extent included in adjusted gross income subject to the limitations and restrictions set forth in subsection (9), **(10), or (11), as applicable**:

(i) Retirement or pension benefits received from a federal public retirement system or from a public retirement system of or created by this state or a political subdivision of this state.

(ii) Retirement or pension benefits received from a public retirement system of or created by another state or any of its political subdivisions if the income tax laws of the other state permit a similar deduction or exemption or a reciprocal deduction or exemption of a retirement or pension benefit received from a public retirement system of or created by this state or any of the political subdivisions of this state.

(iii) Social Security benefits as defined in section 86 of the internal revenue code.

(iv) Beginning on and after January 1, 2007, retirement or pension benefits not deductible under subparagraph (i) or subdivision (e) from any other retirement or pension system or benefits from a retirement annuity policy in which payments are made for life to a senior citizen, to a maximum of \$42,240.00 for a single return and \$84,480.00 for a joint return. The maximum amounts allowed under this subparagraph shall be reduced by the amount of the deduction for retirement or pension benefits claimed under subparagraph (i) or subdivision (e) and by the amount of a deduction claimed under subdivision (p). For the 2008 tax year and each tax year after 2008, the maximum amounts allowed under this subparagraph shall be adjusted by the percentage increase in the United States Consumer Price Index for the immediately preceding calendar year. The department shall annualize the amounts provided in this subparagraph as necessary.

(v) The amount determined to be the section 22 amount eligible for the elderly and the permanently and totally disabled credit provided in section 22 of the internal revenue code.

(g) Adjustments resulting from the application of section 271.

(h) Adjustments with respect to estate and trust income as provided in section 36.

(i) Adjustments resulting from the allocation and apportionment provisions of chapter 3.

(j) Deduct the following payments made by the taxpayer in the tax year:

(i) The amount of a charitable contribution made to the advance tuition payment fund created under section 9 of the Michigan education trust act, 1986 PA 316, MCL 390.1429.

(ii) The amount of payment made under an advance tuition payment contract as provided in the Michigan education trust act, 1986 PA 316, MCL 390.1421 to 390.1442.

(iii) The amount of payment made under a contract with a private sector investment manager that meets all of the following criteria:

(A) The contract is certified and approved by the board of directors of the Michigan education trust to provide equivalent benefits and rights to purchasers and beneficiaries as an advance tuition payment contract as described in subparagraph (ii).

(B) The contract applies only for a state institution of higher education as defined in the Michigan education trust act, 1986 PA 316, MCL 390.1421 to 390.1442, or a community or junior college in Michigan.

(C) The contract provides for enrollment by the contract's qualified beneficiary in not less than 4 years after the date on which the contract is entered into.

(D) The contract is entered into after either of the following:

(I) The purchaser has had ~~his or her~~ **the purchaser's** offer to enter into an advance tuition payment contract rejected by the board of directors of the Michigan education trust, if the board determines that the trust cannot accept an unlimited number of enrollees upon an actuarially sound basis.

(II) The board of directors of the Michigan education trust determines that the trust can accept an unlimited number of enrollees upon an actuarially sound basis.

(k) If an advance tuition payment contract under the Michigan education trust act, 1986 PA 316, MCL 390.1421 to 390.1442, or another contract for which the payment was deductible under subdivision (j) is terminated and the qualified beneficiary under that contract does not attend a university, college, junior or community college, or other institution of higher education, add the amount of a refund received by the taxpayer as a result of that termination or the amount of the deduction taken under subdivision (j) for payment made under that contract, whichever is less.

(l) Deduct from the taxable income of a purchaser the amount included as income to the purchaser under the internal revenue code after the advance tuition payment contract entered into under the Michigan education trust act, 1986 PA 316, MCL 390.1421 to 390.1442, is terminated because the qualified beneficiary attends an institution of postsecondary education other than either a state institution of higher education or an institution of postsecondary education located outside this state with which a state institution of higher education has reciprocity.

(m) Add, to the extent deducted in determining adjusted gross income, the net operating loss deduction under section 172 of the internal revenue code.

(n) Deduct a net operating loss deduction for the taxable year as determined under section 172 of the internal revenue code subject to the modifications under section 172(b)(2) of the internal revenue code and subject to the allocation and apportionment provisions of chapter 3 for the taxable year in which the loss was incurred.

(o) Deduct, to the extent included in adjusted gross income, benefits from a discriminatory self-insurance medical expense reimbursement plan.

(p) Beginning on and after January 1, 2007, subject to any limitation provided in this subdivision, a taxpayer who is a senior citizen may deduct to the extent included in adjusted gross income, interest, dividends, and capital gains received in the tax year not to exceed \$9,420.00 for a single return and \$18,840.00 for a joint return. The maximum amounts allowed under this subdivision shall be reduced by the amount of a deduction claimed for retirement or pension benefits under subdivision (e) or a deduction claimed under subdivision (f)(i), (ii), (iv), or (v). For the 2008 tax year and each tax year after 2008, the maximum amounts allowed under this subdivision shall be adjusted by the percentage increase in the United States Consumer Price Index for the immediately preceding calendar year. The department shall annualize the amounts provided in this subdivision as necessary. Beginning January 1, 2012, the deduction under this subdivision is not available to a senior citizen born after 1945.

(q) Deduct, to the extent included in adjusted gross income, all of the following:

(i) The amount of a refund received in the tax year based on taxes paid under this part and any direct or indirect allocated share of a refund received by a flow-through entity under part 4.

(ii) The amount of a refund received in the tax year based on taxes paid under the city income tax act, 1964 PA 284, MCL 141.501 to 141.787.

(iii) The amount of a credit received in the tax year based on a claim filed under sections 520 and 522 to the extent that the taxes used to calculate the credit were not used to reduce adjusted gross income for a prior year.

(r) Add the amount paid by the state on behalf of the taxpayer in the tax year to repay the outstanding principal on a loan taken on which the taxpayer defaulted that was to fund an advance tuition payment contract entered into under the Michigan education trust act, 1986 PA 316, MCL 390.1421 to 390.1442, if the cost of the advance tuition payment contract was deducted under subdivision (j) and was financed with a Michigan education trust secured loan.

(s) Deduct, to the extent included in adjusted gross income, any amount, and any interest earned on that amount, received in the tax year by a taxpayer who is a Holocaust victim as a result of a settlement of claims against any entity or individual for any recovered asset pursuant to the German act regulating unresolved property claims, also known as Gesetz zur Regelung offener Vermögensfragen, as a result of the settlement of the action entitled *In re: Holocaust victim assets litigation*, CV-96-4849, CV-96-5161, and CV-97-0461 (E.D. NY), or as a result of any similar action if the income and interest are not commingled in any way with and are kept separate from all other funds and assets of the taxpayer. As used in this subdivision:

(i) "Holocaust victim" means a person, or the heir or beneficiary of that person, who was persecuted by Nazi Germany or any Axis regime during any period from 1933 to 1945.

(ii) "Recovered asset" means any asset of any type and any interest earned on that asset, including, but not limited to, bank deposits, insurance proceeds, or artwork owned by a Holocaust victim during the period from 1920 to 1945, withheld from that Holocaust victim from and after 1945, and not recovered, returned, or otherwise compensated to the Holocaust victim until after 1993.

(t) Deduct all of the following:

(i) To the extent not deducted in determining adjusted gross income, contributions made by the taxpayer in the tax year less qualified withdrawals made in the tax year from education savings accounts, calculated on a per education savings account basis, pursuant to the Michigan education savings program act, 2000 PA 161, MCL 390.1471 to 390.1486, not to exceed a total deduction of \$5,000.00 for a single return or \$10,000.00 for a joint return per tax year. The amount calculated under this subparagraph for each education savings account shall not be less than zero.

(ii) To the extent included in adjusted gross income, interest earned in the tax year on the contributions to the taxpayer's education savings accounts if the contributions were deductible under subparagraph (i).

(iii) To the extent included in adjusted gross income, distributions that are qualified withdrawals from an education savings account to the designated beneficiary of that education savings account.

(u) Add, to the extent not included in adjusted gross income, the amount of money withdrawn by the taxpayer in the tax year from education savings accounts, not to exceed the total amount deducted under subdivision (t) in the tax year and all previous tax years, if the withdrawal was not a qualified withdrawal as

provided in the Michigan education savings program act, 2000 PA 161, MCL 390.1471 to 390.1486. This subdivision does not apply to withdrawals that are less than the sum of all contributions made to an education savings account in all previous tax years for which no deduction was claimed under subdivision (t), less any contributions for which no deduction was claimed under subdivision (t) that were withdrawn in all previous tax years.

(v) A taxpayer who is a resident tribal member may deduct, to the extent included in adjusted gross income, all nonbusiness income earned or received in the tax year and during the period in which an agreement entered into between the taxpayer's tribe and this state pursuant to section 30c of 1941 PA 122, MCL 205.30c, is in full force and effect. As used in this subdivision:

(i) "Business income" means business income as defined in section 4 and apportioned under chapter 3.

(ii) "Nonbusiness income" means nonbusiness income as defined in section 14 and, to the extent not included in business income, all of the following:

(A) All income derived from wages whether the wages are earned within the agreement area or outside of the agreement area.

(B) All interest and passive dividends.

(C) All rents and royalties derived from real property located within the agreement area.

(D) All rents and royalties derived from tangible personal property, to the extent the personal property is utilized within the agreement area.

(E) Capital gains from the sale or exchange of real property located within the agreement area.

(F) Capital gains from the sale or exchange of tangible personal property located within the agreement area at the time of sale.

(G) Capital gains from the sale or exchange of intangible personal property.

(H) All pension income and benefits, including, but not limited to, distributions from a 401(k) plan, individual retirement accounts under section 408 of the internal revenue code, or a defined contribution plan, or payments from a defined benefit plan.

(I) All per capita payments by the tribe to resident tribal members, without regard to the source of payment.

(J) All gaming winnings.

(iii) "Resident tribal member" means an individual who meets all of the following criteria:

(A) Is an enrolled member of a federally recognized tribe.

(B) The individual's tribe has an agreement with this state pursuant to section 30c of 1941 PA 122, MCL 205.30c, that is in full force and effect.

(C) The individual's principal place of residence is located within the agreement area as designated in the agreement under sub-subparagraph (B).

(w) Eliminate all of the following:

(i) Income from producing oil and gas to the extent included in adjusted gross income.

(ii) Expenses of producing oil and gas to the extent deducted in arriving at adjusted gross income.

(x) Deduct all of the following:

(i) To the extent not deducted in determining adjusted gross income, contributions made by the taxpayer in the tax year less qualified withdrawals made in the tax year from an ABLE savings account, pursuant to the Michigan achieving a better life experience (ABLE) program act, 2015 PA 160, MCL 206.981 to 206.997, not to exceed a total deduction of \$5,000.00 for a single return or \$10,000.00 for a joint return per tax year. The amount calculated under this subparagraph for an ABLE savings account shall not be less than zero.

(ii) To the extent included in adjusted gross income, interest earned in the tax year on the contributions to the taxpayer's ABLE savings account if the contributions were deductible under subparagraph (i).

(iii) To the extent included in adjusted gross income, distributions that are qualified withdrawals from an ABLE savings account to the designated beneficiary of that ABLE savings account.

(y) Add, to the extent not included in adjusted gross income, the amount of money withdrawn by the taxpayer in the tax year from an ABLE savings account, not to exceed the total amount deducted under subdivision (x) in the tax year and all previous tax years, if the withdrawal was not a qualified withdrawal as provided in the Michigan achieving a better life experience (ABLE) program act, 2015 PA 160, MCL 206.981 to 206.997. This subdivision does not apply to withdrawals that are less than the sum of all contributions made to an ABLE savings account in all previous tax years for which no deduction was claimed under subdivision (x), less any contributions for which no deduction was claimed under subdivision (x) that were withdrawn in all previous tax years.

(z) For tax years that begin after December 31, 2018, deduct, to the extent included in adjusted gross income, compensation received in the tax year pursuant to the wrongful imprisonment compensation act, 2016 PA 343, MCL 691.1751 to 691.1757.

(aa) For the 2016, 2017, 2018, and 2019 tax years and for each tax year that begins on and after January 1, 2025, a taxpayer who is a disabled veteran may deduct, to the extent included in adjusted gross income, income reported on a federal income tax form 1099-C that is attributable to the cancellation or discharge of a student loan by the United States Department of Education pursuant to the total and permanent disability discharge program, 34 CFR 685.213. As used in this subdivision, “disabled veteran” means an individual who meets either of the following criteria:

(i) Has been determined by the United States Department of Veterans Affairs to be permanently and totally disabled as a result of military service and entitled to veterans’ benefits at the 100% rate.

(ii) Has been rated by the United States Department of Veterans Affairs as individually unemployable.

(bb) For tax years that begin on and after January 1, 2021, and subject to the limitation under this subdivision, deduct, to the extent not deducted in determining adjusted gross income, wagering losses deducted under section 165(d) of the internal revenue code on the taxpayer’s federal income tax return for the same tax year. For a nonresident, only wagering losses that are attributable to wagering transactions placed at or through a casino or licensed race meeting located in this state may be deducted and must not exceed the gains on wagering transactions allocated to this state under section 110(2)(d). As used in this subdivision, “casino” and “licensed race meeting” mean those terms as defined in section 110.

(cc) Except as otherwise provided under subparagraph (i), for tax years that begin on and after January 1, 2022, deduct all of the following:

(i) To the extent not deducted in determining adjusted gross income, contributions made by the taxpayer in the tax year less qualified withdrawals made in the tax year from a first-time home buyer savings account, pursuant to the Michigan first-time home buyer savings program act, **2022 PA 6, MCL 565.1001 to 565.1013**, not to exceed a total deduction of \$5,000.00 for a single return or \$10,000.00 for a joint return per tax year. The amount calculated under this subparagraph for a first-time home buyer savings account shall not be less than zero. The deduction under this subparagraph does not apply for tax years that begin after December 31, 2026.

(ii) To the extent not deducted in determining adjusted gross income, interest earned in the tax year on the contributions to the taxpayer’s first-time home buyer savings account.

(iii) To the extent included in adjusted gross income, distributions that are qualified withdrawals from a first-time home buyer savings account to the qualified beneficiary of that savings account.

(dd) For tax years that begin on and after January 1, 2022, add, to the extent not included in adjusted gross income, the amount of money withdrawn by the taxpayer in the tax year from a first-time home buyer savings account, not to exceed the total amount deducted under subdivision (cc) in the tax year and all previous tax years, if the withdrawal was not a qualified withdrawal as provided in the Michigan first-time home buyer savings program act, **2022 PA 6, MCL 565.1001 to 565.1013**. This subdivision does not apply to withdrawals that are less than the sum of all contributions made to a first-time home buyer savings account in all previous tax years for which no deduction was claimed under subdivision (cc), less any contributions for which no deduction was claimed under subdivision (cc) that were withdrawn in all previous tax years.

(2) Except as otherwise provided in subsection (7), and section 30a, a personal exemption of \$3,700.00 multiplied by the number of personal and dependency exemptions shall be subtracted in the calculation that determines taxable income. The number of personal and dependency exemptions allowed shall be determined as follows:

(a) Each taxpayer may claim 1 personal exemption. However, if a joint return is not made by the taxpayer and ~~his or her~~ **the taxpayer’s** spouse, the taxpayer may claim a personal exemption for the spouse if the spouse, for the calendar year in which the taxable year of the taxpayer begins, does not have any gross income and is not the dependent of another taxpayer.

(b) A taxpayer may claim a dependency exemption for each individual who is a dependent of the taxpayer for the tax year.

(c) For tax years beginning on and after January 1, 2019, a taxpayer may claim an additional exemption under this subsection in the tax year for which the taxpayer has a certificate of stillbirth from the department of health and human services as provided under section 2834 of the public health code, 1978 PA 368, MCL 333.2834.

(3) Except as otherwise provided in subsection (7), a single additional exemption determined as follows shall be subtracted in the calculation that determines taxable income in each of the following circumstances:

(a) \$1,800.00 for each taxpayer and every dependent of the taxpayer who is a deaf person as defined in section 2 of the deaf persons’ interpreters act, 1982 PA 204, MCL 393.502; a paraplegic, a quadriplegic, or a hemiplegic; a person who is blind as defined in section 504; or a person who is totally and permanently disabled as defined in section 522. When a dependent of a taxpayer files an annual return under this part, the taxpayer or dependent of the taxpayer, but not both, may claim the additional exemption allowed under this subdivision.

(b) For tax years beginning after 2007, \$250.00 for each taxpayer and every dependent of the taxpayer who is a qualified disabled veteran. When a dependent of a taxpayer files an annual return under this part, the taxpayer or dependent of the taxpayer, but not both, may claim the additional exemption allowed under this subdivision. As used in this subdivision:

(i) “Qualified disabled veteran” means a veteran with a service-connected disability.

(ii) “Service-connected disability” means a disability incurred or aggravated in the line of duty in the active military, naval, or air service as described in 38 USC 101(16).

(iii) “Veteran” means ~~a person~~**an individual** who served in the active military, naval, marine, coast guard, or air service and who was discharged or released from ~~his or her~~**the individual’s** service with an honorable or general discharge.

(4) An individual with respect to whom a deduction under subsection (2) is allowable to another taxpayer during the tax year is not entitled to an exemption for purposes of subsection (2), but may subtract \$1,500.00 in the calculation that determines taxable income for a tax year.

(5) A nonresident or a part-year resident is allowed that proportion of an exemption or deduction allowed under subsection (2), (3), or (4) that the taxpayer’s portion of adjusted gross income from Michigan sources bears to the taxpayer’s total adjusted gross income.

(6) In calculating taxable income, a taxpayer shall not subtract from adjusted gross income the amount of prizes won by the taxpayer under the McCauley-Traxler-Law-Bowman-McNeely lottery act, 1972 PA 239, MCL 432.1 to 432.47.

(7) For each tax year beginning on and after January 1, 2013, the personal exemption allowed under subsection (2) shall be adjusted by multiplying the exemption for the tax year beginning in 2012 by a fraction, the numerator of which is the United States Consumer Price Index for the state fiscal year ending in the tax year prior to the tax year for which the adjustment is being made and the denominator of which is the United States Consumer Price Index for the 2010-2011 state fiscal year. For the 2022 tax year and each tax year after 2022, the adjusted amount determined under this subsection shall be increased by an additional \$600.00. The resultant product shall be rounded to the nearest \$100.00 increment. For each tax year, the exemptions allowed under subsection (3) shall be adjusted by multiplying the exemption amount under subsection (3) for the tax year by a fraction, the numerator of which is the United States Consumer Price Index for the state fiscal year ending the tax year prior to the tax year for which the adjustment is being made and the denominator of which is the United States Consumer Price Index for the 1998-1999 state fiscal year. The resultant product shall be rounded to the nearest \$100.00 increment.

(8) As used in this section, “retirement or pension benefits” means distributions from all of the following:

(a) Except as provided in subdivision (d), qualified pension trusts and annuity plans that qualify under section 401(a) of the internal revenue code, including all of the following:

(i) Plans for self-employed persons, commonly known as Keogh or HR10 plans.

(ii) Individual retirement accounts that qualify under section 408 of the internal revenue code if the distributions are not made until the participant has reached 59-1/2 years of age, except in the case of death, disability, or distributions described by section 72(t)(2)(A)(iv) of the internal revenue code.

(iii) Employee annuities or tax-sheltered annuities purchased under section 403(b) of the internal revenue code by organizations exempt under section 501(c)(3) of the internal revenue code, or by public school systems.

(iv) Distributions from a 401(k) plan attributable to employee contributions mandated by the plan or attributable to employer contributions.

(b) The following retirement and pension plans not qualified under the internal revenue code:

(i) Plans of the United States, state governments other than this state, and political subdivisions, agencies, or instrumentalities of this state.

(ii) Plans maintained by a church or a convention or association of churches.

(iii) All other unqualified pension plans that prescribe eligibility for retirement and predetermine contributions and benefits if the distributions are made from a pension trust.

(c) Retirement or pension benefits received by a surviving spouse if those benefits qualified for a deduction prior to the decedent’s death. Benefits received by a surviving child are not deductible.

(d) Retirement and pension benefits do not include:

(i) Amounts received from a plan that allows the employee to set the amount of compensation to be deferred and does not prescribe retirement age or years of service. These plans include, but are not limited to, all of the following:

(A) Deferred compensation plans under section 457 of the internal revenue code.

(B) Distributions from plans under section 401(k) of the internal revenue code other than plans described in subdivision (a)(iv).

(C) Distributions from plans under section 403(b) of the internal revenue code other than plans described in subdivision (a)(iii).

(ii) Premature distributions paid on separation, withdrawal, or discontinuance of a plan prior to the earliest date the recipient could have retired under the provisions of the plan.

(iii) Payments received as an incentive to retire early unless the distributions are from a pension trust.

(9) ~~In~~ **Except as otherwise provided in subsection (10) or (11), in determining taxable income under this section, the following limitations and restrictions apply:**

(a) For a person born before 1946, this subsection provides no additional restrictions or limitations under subsection (1)(f).

(b) Except as otherwise provided in subdivision (c), for a person born in 1946 through 1952, the sum of the deductions under subsection (1)(f)(i), (ii), and (iv) is limited to \$20,000.00 for a single return and \$40,000.00 for a joint return. After that person reaches the age of 67, the deductions under subsection (1)(f)(i), (ii), and (iv) do not apply and that person is eligible for a deduction of \$20,000.00 for a single return and \$40,000.00 for a joint return, which deduction is available against all types of income and is not restricted to income from retirement or pension benefits. A person who takes the deduction under subsection (1)(e) is not eligible for the unrestricted deduction of \$20,000.00 for a single return and \$40,000.00 for a joint return under this subdivision.

(c) Beginning January 1, 2013 for a person born in 1946 through 1952 and beginning January 1, 2018 for a person born after 1945 who has retired as of January 1, 2013, if that person receives retirement or pension benefits from employment with a governmental agency that was not covered by the federal social security act, chapter 531, 49 Stat 620, the sum of the deductions under subsection (1)(f)(i), (ii), and (iv) is limited to \$35,000.00 for a single return and, except as otherwise provided under this subdivision, \$55,000.00 for a joint return. If both spouses filing a joint return receive retirement or pension benefits from employment with a governmental agency that was not covered by the federal social security act, chapter 531, 49 Stat 620, the sum of the deductions under subsection (1)(f)(i), (ii), and (iv) is limited to \$70,000.00 for a joint return. After that person reaches the age of 67, the deductions under subsection (1)(f)(i), (ii), and (iv) do not apply and that person is eligible for a deduction of \$35,000.00 for a single return and \$55,000.00 for a joint return, or \$70,000.00 for a joint return if applicable, which deduction is available against all types of income and is not restricted to income from retirement or pension benefits. A person who takes the deduction under subsection (1)(e) is not eligible for the unrestricted deduction of \$35,000.00 for a single return and \$55,000.00 for a joint return, or \$70,000.00 for a joint return if applicable, under this subdivision.

(d) Except as otherwise provided under subdivision (c) for a person who was retired as of January 1, 2013, for a person born after 1952 who has reached the age of 62 through 66 years of age and who receives retirement or pension benefits from employment with a governmental agency that was not covered by the federal social security act, chapter 531, 49 Stat 620, the sum of the deductions under subsection (1)(f)(i), (ii), and (iv) is limited to \$15,000.00 for a single return and, except as otherwise provided under this subdivision, \$15,000.00 for a joint return. If both spouses filing a joint return receive retirement or pension benefits from employment with a governmental agency that was not covered by the federal social security act, chapter 531, 49 Stat 620, the sum of the deductions under subsection (1)(f)(i), (ii), and (iv) is limited to \$30,000.00 for a joint return.

(e) Except as otherwise provided under subdivision (c) or (d), for a person born after 1952, the deduction under subsection (1)(f)(i), (ii), or (iv) does not apply. When that person reaches the age of 67, that person is eligible for a deduction of \$20,000.00 for a single return and \$40,000.00 for a joint return, which deduction is available against all types of income and is not restricted to income from retirement or pension benefits. If a person takes the deduction of \$20,000.00 for a single return and \$40,000.00 for a joint return, that person shall not take the deduction under subsection (1)(f)(iii) and shall not take the personal exemption under subsection (2). That person may elect not to take the deduction of \$20,000.00 for a single return and \$40,000.00 for a joint return and elect to take the deduction under subsection (1)(f)(iii) and the personal exemption under subsection (2) if that election would reduce that person's tax liability. A person who takes the deduction under subsection (1)(e) is not eligible for the unrestricted deduction of \$20,000.00 for a single return and \$40,000.00 for a joint return under this subdivision.

(f) For a joint return, the limitations and restrictions in this subsection shall be applied based on the date of birth of the older spouse filing the joint return. If a deduction under subsection (1)(f) was claimed on a joint return for a tax year in which a spouse died and the surviving spouse has not remarried since the death of that spouse, the surviving spouse is entitled to claim the deduction under subsection (1)(f) in subsequent tax years subject to the same restrictions and limitations, for a single return, that would have applied based on the date of birth of the older of the 2 spouses. For tax years beginning after December 31, 2019, a surviving spouse born after 1945 who has reached the age of 67 and has not remarried since the death of that spouse

may elect to take the deduction that is available against all types of income subject to the same limitations and restrictions as provided under this subsection based on the surviving spouse's date of birth instead of taking the deduction allowed under subsection (1)(f), for a single return, based on the date of birth of the older spouse.

**(10) In determining taxable income under this section, a taxpayer may elect to deduct retirement or pension benefits as provided under subsection (1)(f) with the following limitations and restrictions or elect to apply the limitations and restrictions in subsection (9), or subsection (11) if applicable:**

(a) For the 2023 tax year, a taxpayer who was born after 1945 and before 1959 may deduct an amount of retirement or pension benefits not to exceed 25% of the maximum amount of retirement or pension benefits that the taxpayer would be allowed to deduct for the tax year under subsection (1)(f)(iv) if the taxpayer's retirement or pension benefits were subject to the limitations of that subsection only.

(b) For the 2024 tax year, a taxpayer who was born after 1945 and before 1963 may deduct an amount of retirement or pension benefits not to exceed 50% of the maximum amount of retirement or pension benefits that the taxpayer would be allowed to deduct for the tax year under subsection (1)(f)(iv) if the taxpayer's retirement or pension benefits were subject to the limitations of that subsection only.

(c) For the 2025 tax year, a taxpayer who was born after 1945 and before 1967 may deduct an amount of retirement or pension benefits not to exceed 75% of the maximum amount of retirement or pension benefits that the taxpayer would be allowed to deduct for the tax year under subsection (1)(f)(iv) if the taxpayer's retirement or pension benefits were subject to the limitations of that subsection only.

(d) For the 2026 tax year and each tax year after 2026, a taxpayer may deduct retirement or pension benefits as provided under subsection (1)(f), except that the amounts deductible under subsection (1)(f)(i) and (ii) combined are subject to the same maximum amounts allowed under subsection (1)(f)(iv) for a single return and a joint return for that same tax year.

(e) For a joint return, the limitations and restrictions in this subsection shall be applied based on the date of birth of the older spouse filing the joint return. If a deduction under subsection (1)(f) was claimed on a joint return for a tax year in which a spouse died and the surviving spouse has not remarried since the death of that spouse, the surviving spouse is entitled to claim the deduction under subsection (1)(f) in subsequent tax years subject to the same restrictions and limitations under this subsection, for a single return, that would have applied based on the date of birth of the older of the 2 spouses.

**(11) For tax years beginning on and after January 1, 2023, in determining taxable income under this section, a taxpayer with retirement or pension benefits received for services as a public police or fire department employee subject to 1969 PA 312, MCL 423.231 to 423.247, a state police trooper or state police sergeant subject to 1980 PA 17, MCL 423.271 to 423.287, or a corrections officer employed by a county sheriff in a county jail, work camp, or other facility maintained by a county that houses adult prisoners may elect to deduct retirement or pension benefits as provided under subsection (1)(f) without any additional limitations or restrictions or elect to apply the limitations and restrictions in subsection (9) or (10).**

**(12) ~~(10)~~As used in this section:**

(a) "Oil and gas" means oil and gas subject to severance tax under 1929 PA 48, MCL 205.301 to 205.317.

(b) "Senior citizen" means that term as defined in section 514.

(c) "United States Consumer Price Index" means the United States Consumer Price Index for all urban consumers as defined and reported by the United States Department of Labor, Bureau of Labor Statistics.

Sec. 51. (1) For receiving, earning, or otherwise acquiring income from any source whatsoever, there is levied and imposed under this part upon the taxable income of every person other than a corporation a tax at the following rates in the following circumstances:

(a) On and after October 1, 2007 and before October 1, 2012, 4.35%.

(b) Except as otherwise provided under subdivision (c), on and after October 1, 2012, 4.25%.

(c) For each tax year beginning on and after January 1, 2023, if the percentage increase in the total general fund/general purpose revenue from the immediately preceding fiscal year is greater than the inflation rate for the same period and the inflation rate is positive, then the current rate shall be reduced by an amount determined by multiplying that rate by a fraction, the numerator of which is the difference between the total general fund/general purpose revenue from the immediately preceding state fiscal year and the capped general fund/general purpose revenue and the denominator of which is the total revenue collected from this part in the immediately preceding state fiscal year. For purposes of this subdivision only, the state treasurer,

the director of the senate fiscal agency, and the director of the house fiscal agency shall determine whether the total revenue distributed to general fund/general purpose revenue has increased as required under this subdivision based on the comprehensive annual financial report prepared and published by the department of technology, management, and budget in accordance with section 23 of article IX of the state constitution of 1963. The state treasurer, the director of the senate fiscal agency, and the director of the house fiscal agency shall make the determination under this subdivision no later than the date of the January 2023 revenue estimating conference conducted pursuant to sections 367a through 367f of the management and budget act, 1984 PA 431, MCL 18.1367a to 18.1367f, and the date of each January revenue estimating conference conducted each year thereafter. As used in this subdivision:

(i) "Capped general fund/general purpose revenue" means the total general fund/general purpose revenue from the 2020-2021 state fiscal year multiplied by the sum of 1 plus the product of 1.425-times the difference between a fraction, the numerator of which is the Consumer Price Index for the state fiscal year ending in the tax year prior to the tax year for which the adjustment is being made and the denominator of which is the Consumer Price Index for the 2020-2021 state fiscal year, and 1.

(ii) "Total general fund/general purpose revenue" means the total general fund/general purpose revenue and other financing sources as published in the comprehensive annual financial report schedule of revenue and other financing sources – general fund for that fiscal year plus any distribution made pursuant to section 51d.

(2) Except as otherwise provided for December 1, 2018 through September 30, 2019, beginning January 1, 2000 **through September 30, 2023**, that percentage of the gross collections before refunds from the tax levied under this section that is equal to 1.012% divided by the income tax rate levied under this section shall be deposited in the state school aid fund created in section 11 of article IX of the state constitution of 1963. For December 1, 2018 through September 30, 2019 only, that percentage of the gross collections before refunds from the tax levied under this section that is equal to 0.954% divided by the income tax rate levied under this section shall be deposited in the state school aid fund created in section 11 of article IX of the state constitution of 1963. **For October 1, 2023 through September 30, 2024 only, that percentage of the gross collections before refunds from the tax levied under this section that is equal to 1.015% divided by the income tax rate levied under this section shall be deposited in the state school aid fund created in section 11 of article IX of the state constitution of 1963. For October 1, 2024 through September 30, 2025 only, that percentage of the gross collections before refunds from the tax levied under this section that is equal to 1.023% divided by the income tax rate levied under this section shall be deposited in the state school aid fund created in section 11 of article IX of the state constitution of 1963. For October 1, 2025 through September 30, 2026 only, that percentage of the gross collections before refunds from the tax levied under this section that is equal to 1.033% divided by the income tax rate levied under this section shall be deposited in the state school aid fund created in section 11 of article IX of the state constitution of 1963. Beginning October 1, 2026, that percentage of the gross collections before refunds from the tax levied under this section that is equal to 1.040% divided by the income tax rate levied under this section shall be deposited in the state school aid fund created in section 11 of article IX of the state constitution of 1963.**

(3) In addition to the distributions under subsections (2) and (4) and sections 51d, 51e, and 51f, beginning October 1, 2016, from the revenue collected under this section an amount equal to 3.5% of the average amount of farmland tax credits claimed under section 36109 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.36109, for the immediately preceding 3 state fiscal years shall be deposited into the agricultural preservation fund created in section 36202 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.36202.

(4) In addition to the distributions under subsections (2) and (3) and sections 51d, 51e, and 51f, and subject to the limitation under this subsection, beginning with the 2018-2019 state fiscal year and each fiscal year thereafter, from the revenue collected under this section \$69,000,000.00 shall be deposited into the renew Michigan fund created in section 51g. However, if, in any 1 of the 2018-2019 through the 2021-2022 state fiscal years, the minimum foundation allowance falls below the 2017-2018 minimum foundation allowance established under section 20 of the state school aid act of 1979, 1979 PA 94, MCL 388.1620, as amended by 2017 PA 108, then no money shall be deposited into the renew Michigan fund pursuant to this subsection for that fiscal year.

(5) The department shall annualize rates provided in subsection (1) as necessary. The applicable annualized rate shall be imposed upon the taxable income of every person other than a corporation for those tax years.

(6) The taxable income of a nonresident shall be computed in the same manner that the taxable income of a resident is computed, subject to the allocation and apportionment provisions of this part.

(7) A resident beneficiary of a trust whose taxable income includes all or part of an accumulation distribution by a trust, as defined in section 665 of the internal revenue code, shall be allowed a credit against the tax otherwise due under this part. The credit shall be all or a proportionate part of any tax paid by the trust under this part for any preceding taxable year that would not have been payable if the trust had in fact made distribution to its beneficiaries at the times and in the amounts specified in section 666 of the internal revenue code. The credit shall not reduce the tax otherwise due from the beneficiary to an amount less than would have been due if the accumulation distribution were excluded from taxable income.

(8) The taxable income of a resident who is required to include income from a trust in ~~his or her~~ **the resident's** federal income tax return under the provisions of 26 USC 671 to 679, shall include items of income and deductions from the trust in taxable income to the extent required by this part with respect to property owned outright.

(9) It is the intention of this section that the income subject to tax of every person other than corporations shall be computed in like manner and be the same as provided in the internal revenue code subject to adjustments specifically provided for in this part.

(10) As used in this section:

(a) "Consumer Price Index" means the United States Consumer Price Index for all urban consumers as defined and reported by the United States Department of Labor, Bureau of Labor Statistics.

(b) "Inflation rate" means the annual percentage change in the Consumer Price Index, as determined by the department, comparing the 2 most recent completed state fiscal years.

(c) "Person other than a corporation" means a resident or nonresident individual or any of the following:

(i) A partner in a partnership as defined in the internal revenue code.

(ii) A beneficiary of an estate or a trust as defined in the internal revenue code.

(iii) An estate or trust as defined in the internal revenue code.

(d) "Taxable income" means taxable income as defined in this part subject to the applicable source and attribution rules contained in this part.

**Sec. 51h. (1) The Michigan taxpayer rebate fund is created within the state treasury. The state treasurer may receive money or other assets from any source for deposit into the Michigan taxpayer rebate fund. The state treasurer shall direct the investment of the Michigan taxpayer rebate fund. The state treasurer shall credit to the Michigan taxpayer rebate fund interest and earnings from those fund investments.**

**(2) Money in the Michigan taxpayer rebate fund at the close of the fiscal year shall remain in that fund and shall not lapse to the general fund. However, any money in the Michigan taxpayer rebate fund after all rebates have been issued in accordance with section 476 shall lapse to the general fund at the close of that fiscal year.**

**(3) The department shall be the administrator of the Michigan taxpayer rebate fund.**

**(4) Except as otherwise provided under this subsection, if the amendatory act that added this section takes effect before April 18, 2023, the department shall, upon appropriation as provided in section 695, expend money from the Michigan taxpayer rebate fund to issue the advance refund payments in accordance with the rebate and credit authorized under section 476. The department shall not issue any advance refund payments after December 31, 2023.**

~~Sec. 272. (1) For the following tax years that begin after December 31, 2007, a taxpayer may credit against the tax imposed by this act an amount equal to the specified percentages of the credit the taxpayer is allowed to claim as a credit under section 32 of the internal revenue code for a tax year on a return filed under this act for the same tax year:~~

~~(a) For tax years that begin after December 31, 2007 and before January 1, 2009, 10%.~~

~~(b) For tax years that begin after December 31, 2008 and before January 1, 2012, 20%.~~

~~(c) For tax years that begin after December 31, 2011 and before January 1, 2023, 6%.~~

~~(d) For tax years that begin after December 31, 2022, 30%.~~

**(2) For the 2022 tax year only, a taxpayer that claims a credit under this section on the taxpayer's return filed under this part for the 2022 tax year is entitled to an additional credit in an amount equal to 24% of the credit the taxpayer is allowed to claim as a credit under section 32 of the internal revenue code for the 2022 tax year. A taxpayer shall not claim this additional credit on the taxpayer's return filed under this part for the 2022 tax year or file an amended return for the 2022 tax year to claim this additional credit. In a form and manner as determined by the department, the department shall calculate the amount of the additional credit that each taxpayer is entitled to receive under this subsection. The amount of the additional credit calculated under this subsection must be refunded as soon as practical as provided in section 30 of 1941 PA 122, MCL 205.30. Notwithstanding section 352, the department shall issue any refund under this subsection to the taxpayer in the form of a fully negotiable check.**

(3) ~~(2)~~ If the credit allowed by this section exceeds the tax liability of the taxpayer for the tax year, the state treasurer shall refund the excess to the taxpayer without interest, except as provided in section 30 of 1941 PA 122, MCL 205.30.

**Sec. 476. (1)** If the amendatory act that added this section takes effect before April 18, 2023, each eligible taxpayer is entitled to receive a rebate of taxes levied under this part for the 2022 tax year. Subject to subsection (3), the rebate authorized under this section is an advance refund payment and must be claimed as a credit against the tax imposed under this part for the 2023 tax year in an amount equal to the amount determined under subsection (2). If the credit allowed under this section exceeds the tax liability of the taxpayer for the 2023 tax year, that portion of the credit that exceeds the tax liability must be refunded.

(2) Except as otherwise provided under this subsection, the amount of the rebate to be issued and credit to be claimed under this section is \$180.00 for each eligible taxpayer. For an eligible taxpayer who was married but did not file a joint return for the 2022 tax year, the amount of the rebate to be issued and the credit claimed under this section for that eligible taxpayer is \$90.00. For an eligible taxpayer that filed a joint state income tax return for the 2022 tax year, the amount of the credit allowed under this section for the 2023 tax year for each individual filer listed on that joint state income tax return is \$90.00.

(3) The amount of the credit allowed under this section for the 2023 tax year must be reduced by the amount of the advance refund issued to the eligible taxpayer under subsection (4). The credit shall not be reduced below zero.

(4) In a manner as determined by the department, an eligible taxpayer is considered to have made a payment against the tax levied and imposed under this part for the 2022 tax year in an amount equal to the refundable credit allowed under this section for the 2023 tax year and an advance refund payment of that credit must be automatically issued by the department to each eligible taxpayer as soon as practical as provided in section 30 of 1941 PA 122, MCL 205.30. The rebate authorized and advance refund payment issued under this section may be disbursed electronically to an account at a financial institution of the eligible taxpayer's choice to which the eligible taxpayer authorized the direct deposit of a refund of taxes on the annual return filed under this part for the 2022 tax year. If the eligible taxpayer did not include authorization for a direct deposit, the department shall issue a negotiable check and send it by first-class mail to the address shown on the annual return filed under this part for the 2022 tax year. The advance refund payment authorized under this section must be issued and paid from the Michigan taxpayer rebate fund created under section 51h. The department shall not issue an advance refund payment under this section after December 31, 2023.

(5) Notwithstanding section 30a of 1941 PA 122, MCL 205.30a, the advance refund payment issued under this section is exempt from interception, execution, levy, attachment, garnishment, or other legal process to collect a debt. No portion of the advance refund payment allowed under this section or any rights existing under this section shall be applied as an offset to any liability of the eligible taxpayer under section 30a of 1941 PA 122, MCL 205.30a, or any arrearage or other debt of the eligible taxpayer.

(6) The department may establish any procedures and require the submission of any information from the eligible taxpayer as necessary for the administration of this rebate and advance refund payment of the credit authorized under this section.

(7) As used in this section:

(a) "Claimant" means that term as defined in section 504.

(b) "Eligible taxpayer" means an individual taxpayer who was a resident of this state as of December 31, 2022 and who filed an income tax return under this part for the 2022 tax year on or before October 18, 2023. Eligible taxpayer includes a spouse if that taxpayer filed a joint state income tax return for the 2022 tax year and at least 1 of the individual filers listed on that return is a resident of this state as of December 31, 2022. Eligible taxpayer includes a claimant who did not file a state income tax return for the 2022 tax year, but filed a claim for a credit under chapter 9 for the 2022 tax year on or before October 18, 2022. Eligible taxpayer does not include a nonresident individual or an individual with respect to whom a dependency exemption under section 30(2)(b) is allowable to another taxpayer for the 2022 tax year.

**Sec. 695. (1)** ~~The~~ Except as otherwise provided under this section, the revenue collected under this part shall be distributed to the general fund. If the amendatory act that added section 51h takes effect before April 18, 2023, then for the 2021-2022 state fiscal year only, from the tax levied under this part, \$800,000,000.00 of the revenue collected is appropriated and must be deposited into the state treasury to the credit of the Michigan taxpayer rebate fund created in section 51h, and the balance of the revenue collected under this part for that state fiscal year shall be deposited to the general fund.

(2) Beginning with the 2022-2023 state fiscal year through the 2024-2025 state fiscal year, from the tax levied under this part, the revenue collected under this part shall be deposited in the following manner:

(a) Up to \$1,200,000,000.00 to the general fund.

(b) After the deposit under subdivision (a), up to \$50,000,000.00, if available, to the Michigan housing and community development fund created in section 58a of the state housing development authority act of 1966, 1966 PA 346, MCL 125.1458a.

(c) After the deposits under subdivisions (a) and (b), up to \$50,000,000.00, if available, to the revitalization and placemaking fund created in section 696.

(d) After the deposits under subdivisions (a), (b), and (c), up to \$500,000,000.00, if available, to the strategic outreach and attraction reserve fund created in section 4 of the Michigan trust fund act, 2000 PA 489, MCL 12.254.

(e) The balance of any revenue collected under this part after the deposits under subdivisions (a), (b), (c), and (d), to the general fund.

(3) Beginning with the 2025-2026 state fiscal year, from the tax levied under this part, \$50,000,000.00 of the revenue collected under this part shall be deposited to the Michigan housing and community development fund created in section 58a of the state housing development authority act of 1966, 1966 PA 346, MCL 125.1458a, and the balance of the revenue collected under this part for that state fiscal year shall be deposited to the general fund.

Sec. 696. (1) The revitalization and placemaking fund is created within the state treasury. The state treasurer may receive money or other assets from any source for deposit into the revitalization and placemaking fund. The state treasurer shall direct the investment of the revitalization and placemaking fund. The state treasurer shall credit to the revitalization and placemaking fund interest and earnings from fund investments.

(2) Money in the revitalization and placemaking fund at the close of the fiscal year shall remain in the fund and shall not lapse to the general fund.

(3) The Michigan strategic fund shall be the administrator of the revitalization and placemaking fund for auditing purposes.

(4) Beginning with the 2022-2023 state fiscal year and each state fiscal year thereafter, the Michigan strategic fund shall expend money from the revitalization and placemaking fund, upon appropriation, only to create and operate the revitalization and placemaking grants program to invest in projects that enable population and tax revenue growth through rehabilitation of vacant and blighted buildings and historic structures, rehabilitation and development of vacant properties, and development of permanent place-based infrastructure associated with social zones and traditional downtowns, outdoor dining, and place-based public spaces. If grant funds are used to support residential projects, those projects must comply with other program guidelines and eligibility as determined by the Michigan strategic fund.

(5) By December 31 annually, the Michigan strategic fund shall prepare and submit to the senate and house appropriations committees a report detailing the amount of revenue received by and expenditures from the revitalization and placemaking fund during the prior state fiscal year and the revitalization and placemaking fund balance at the end of the prior state fiscal year.

Third: That the House and Senate agree to the title of the bill to read as follows:

A bill to amend 1967 PA 281, entitled "An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement by lien and otherwise of taxes on or measured by net income and on certain commercial, business, and financial activities; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal acts and parts of acts," by amending the title and sections 30, 51, 272, and 695 (MCL 206.30, 206.51, 206.272, and 206.695), the title and section 272 as amended and section 695 as added by 2011 PA 38, section 30 as amended by 2022 PA 5, and section 51 as amended by 2020 PA 75, and by adding sections 51h, 476, and 696.

Samantha Steckloff

Cynthia Neeley

Conferees for the House

Sam Singh

Sarah E. Anthony

Conferees for the Senate

Senator Singh moved that Joint Rule 9 be suspended to permit immediate consideration of the conference report relative to the following bill:

**House Bill No. 4001**

The question being on the motion to suspend the joint rule,

**Point of Order**

Senator Lauwers raised the Point of Order that the conference report is a violation of article IV, section 24 of the Michigan Constitution. The Constitution mandates that, "No law shall embrace more than one object. ... No bill shall be altered or amended on its passage through either house so as to change its original purpose as determined by its total content and not alone by its title."

The President, Lieutenant Governor Gilchrist, ruled that the conference report on House Bill No. 4001 does not violate this constitutional provision because it contains sections of the bill as introduced.

**Point of Order**

Senator Lauwers raised the Point of Order that this conference report violates Joint Rule 8—"The conference committee shall not consider any matters other than the matters of difference between the two houses." Today the conference report we are being asked to vote on adds several sections that were never before considered in either the House- or Senate-passed versions of House Bill No. 4001, and is therefore in violation of Joint Rule 8.

The President, Lieutenant Governor Gilchrist, ruled that the conference report is not in violation of the joint rule. There are no Senate amendments pending and what is before the Senate is the conference report itself. The conference report can include amendments to effect its agreement according to Joint Rule 8: "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."

Senator Lauwers appealed the decision of the Chair.

The question being shall the decision of the Chair stand as the judgment of the Senate,

Senator Lauwers requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The decision of the Chair stood as the judgment of the Senate, a majority of the members voting therefor, as follows:

**Roll Call No. 21**

**Yeas—20**

Anthony	Chang	Klinefelt	Polehanki
Bayer	Cherry	McCann	Santana
Brinks	Geiss	McDonald Rivet	Shink
Camilleri	Hertel	McMorrow	Singh
Cavanagh	Irwin	Moss	Wojno

**Nays—17**

Albert	Hauck	Lauwers	Runestad
Bellino	Hoitenga	Lindsey	Theis
Bumstead	Huizenga	Nesbitt	Victory
Daley	Johnson	Outman	Webber
Damoose			

**Excused—1**

McBroom

**Not Voting—0**

In The Chair: President

The question being on the motion to suspend Joint Rule 9,

The motion prevailed, a majority of the members serving voting therefor.

The question being on the adoption of the conference report,

The first conference report was adopted, a majority of the members serving voting therefor, as follows:

**Roll Call No. 22****Yeas—20**

Anthony	Chang	Klinefelt	Polehanki
Bayer	Cherry	McCann	Santana
Brinks	Geiss	McDonald Rivet	Shink
Camilleri	Hertel	McMorrow	Singh
Cavanagh	Irwin	Moss	Wojno

**Nays—17**

Albert	Hauck	Lauwers	Runestad
Bellino	Hoitenga	Lindsey	Theis
Bumstead	Huizenga	Nesbitt	Victory
Daley	Johnson	Outman	Webber
Damoose			

**Excused—1**

McBroom

**Not Voting—0**

In The Chair: President

Senator Singh moved that the bill be given immediate effect.

On which motion Senator Singh requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The motion did not prevail, 2/3 of the members serving not voting therefor, as follows:

**Roll Call No. 23****Yeas—20**

Anthony	Chang	Klinefelt	Polehanki
Bayer	Cherry	McCann	Santana
Brinks	Geiss	McDonald Rivet	Shink
Camilleri	Hertel	McMorrow	Singh
Cavanagh	Irwin	Moss	Wojno

**Nays—17**

Albert	Hauck	Lauwers	Runestad
Bellino	Hoitenga	Lindsey	Theis
Bumstead	Huizenga	Nesbitt	Victory
Daley	Johnson	Outman	Webber
Damoose			

**Excused—1**

McBroom

**Not Voting—0**

In The Chair: President

Senator Singh moved to reconsider the vote by which the bill was not given immediate effect.  
 The motion prevailed.  
 The question being on the motion to give the bill immediate effect,  
 Senator Singh moved that further consideration of the bill be postponed for today.  
 The motion prevailed.

**Protests**

Senators Johnson, Albert, Damoose, Runestad, Daley, Bellino, Nesbitt, Theis and Victory, under their constitutional right of protest (Art. 4, Sec. 18), protested against the adoption of the first conference report on House Bill No. 4001.

Senators Johnson, Albert, Damoose, Runestad, Daley, Bellino and Nesbitt moved that the statements they made during the discussion of the conference report be printed as their reasons for voting “no.”

The motion prevailed.

Senator Johnson’s statement is as follows:

There are many reasons to vote “no” on the conference report before us. This legislation seeks to exchange long-term income tax relief for Michigan families for a one-time refund that would amount to only \$180 for a family of four with parents filing a joint return. This bill would also continue the failed legacy of corporate welfare in our state, where the jobs promised are rarely delivered and tax dollars intended to educate children and fix roads instead inflate corporate profits. The conference report before us would allocate one-and-a-half-billion dollars of taxpayer money to benefit for-profit corporations. This is just wrong.

But I would like to focus my comments on another aspect of the legislation that I find particularly reprehensible, and that is the creation of three different classes of citizens among our state’s seniors, who are all taxed differently based on how they earn the income they use to support themselves. I find it ironic that those who tout themselves as champions of equity have put before us a plan that is patently unfair and not equitable. Less than a third of people retiring today will receive a pension. And, according to the U.S. Census Bureau’s 2021 Survey of Income and Program Participation, only 13.5 percent of current working-age Americans have access to a defined-benefit plan, also known as a pension, for when they retire. Yet, at the same time, the Bureau of Labor Statistics reports that a third of 65-to-74-year-olds worked at least part-time in 2022. This bill does nothing to help them. If you are a senior who must work to support yourself, you will see no benefit from this plan. If you are a working senior making \$40,000 a year to support yourself, under this plan you will pay state income taxes on \$20,000 of that income. But if you are fortunate enough to have a \$40,000 pension, you will pay no state income taxes. Zero. How is this fair? It is just not fair. This is not equitable. And if you have a 401K or other retirement savings plan, you will only a partial benefit. And in fact, unless you have a really big 401K full of profit sharing, you will likely see no benefit at all. Take a

senior who has saved 15 percent of their income in a 401K when they were working, and 3 percent of that savings was matched by their employer. They retire, and now they withdraw \$40,000 a year to live on. Under this plan, that senior would pay income tax on \$20,000 of that income. While, again, a senior with a pension of \$40,000 would pay zero state income taxes. Only a small fraction of people will get full benefit from this bill. That is simply not fair.

Mr. President, I ask my colleagues to join me in rejecting the conference report for House Bill No. 4001. This is America, where all are created equal. Let's treat—and tax—our seniors equally.

Senator Albert's statement is as follows:

I continually hear this plan referred to as tax relief. Yet at its core, it's ultimately an attempt to increase taxes for working Michiganders. This plan seeks to avoid an automatic income tax rate reduction that would kick in under current state law—from the current rate of 4.25 percent to around 4.05 percent. It's a trap lying in wait for unsuspecting taxpayers—a one-time rebate check today, but income tax rates that are higher than they should be tomorrow and for years to come. If this automatic income tax rate rollback is thwarted, the people of Michigan will lose money in the long run.

I continually hear this labeled as inflation relief. In reality, it's the, Inflaming Inflation Plan. We must ask the question, Why are we experiencing historically high inflation? The answer is simple: Government spending. This plan is the latest addition to reckless government-fueled spending that has sparked the high prices that families across our state are experiencing every day. If anything, this sham solution will prolong the very situation we are trying to end. Some will say, \$180 will not prolong or worsen inflation. But they are not seeing the forest through the trees. In total, this plan could dump about \$800 million into our state economy all at once. Again, we are seeing excessive dollars chasing a limited number of goods, and the result would be raising prices. Despite these negative inflationary pressures, the real irony is that your rebate will be gone within one or two trips to the grocery store. The higher prices families can't afford will stick around longer. Again—over the long run—the people of Michigan are going to lose money.

So here is a novel idea—let's stop excessive government spending and allow prices to go down for a change. This plan also starts a shell game where tax revenue and savings are distributed. It ultimately leaves regular hardworking Michiganders with less money than they should have, and redirects that money into corporate welfare handouts favored by the governor. Are we really going to deny Michigan families long-lasting tax relief and instead gift billions of dollars to big companies? That does not seem right or responsible to me.

I simply can't support a plan that will ultimately force hardworking Michigan families to pay higher taxes. It's the exact opposite approach we should be taking and, eventually, Michigan families will pay for it. I urge a "no" vote. Thank you, Mr. President.

Senator Damoose's statement is as follows:

First of all, I'm appalled—I think a lot of us are—that we would even be taking this up today. There should be one thing and only one thing on all our minds, I think we know that, and I think we know people expect better from us. But since we are taking it up today, I'm rising to express my deep concern with this bill.

Mr. President, inside the Capitol Loop, this may well be the Roaring '20s—a \$9 billion surplus, a record-breaking \$79 billion budget proposal—happy times are here again if you're a bureaucrat or you're a lobbyist. But outside these walls in the real world, the people of our state are suffering. And this bill actually raises taxes on most of them at a time when they can least afford it.

It eliminates the permanent income tax cut they are owed by state law and replaces it with a one-time check of \$180. Fifty cents per day. If we cannot let an automatic tax cut occur with a \$9 billion surplus, we can never cut taxes. Let's just be honest and stop talking about it and tell the people in that case that their taxes are just going to go up forever.

Mr. President, we've offered a better way. A serious plan that would provide serious relief to all Michigan residents that would let them keep more of their own money. A \$500 tax credit for every child. Substantial, immediate tax relief for every Michigan senior, regardless of where they worked or if they're still working. And permanent income tax relief. A plan that would help every single Michigan resident, and every Democrat voted "no." Because, Mr. President, I fear that the top priority here isn't the budget of the family struggling to afford their groceries, or the budget of the senior skipping meals to keep the heat on. No, I fear the top priority is the state's budget and the people are absolutely convinced that we know around here how better to spend the money than the people do at home.

Mr. President, I ask for a "no" vote on this bill because it isn't policy; it's a press release. It's not tax relief; it's a tax hike. And it won't help family budgets; it will help the state's budget. We can do better and the people of Michigan deserve better.

Senator Runestad's statement is as follows:

I think a couple of the speakers before me were certainly on to something in terms of how much this is going to impact, not helping the budgets, but inflation. It just occurred to me as I was sitting there that last week I pulled up to a grocery store and a lady recognized me and said, Senator, how are you doing? I said, Oh, good, good. She said, Well, not that good. She had her grocery cart there and she said, Look at the groceries I'm going to get for around \$200. I used to fill the trunk with \$200, and look at it now. I might, maybe, get it in the glove compartment box. There has been that much inflation that the people—the average person—has been dealing with.

So, back in October of 2007, Governor Granholm and legislative leaders hammered out a deal that resulted in one of the largest tax hikes in Michigan history, roughly \$1.5 billion. Workers saw 4.35 percent of their earnings go to the state government, up from 3.9 percent, for an estimated \$760 million in new revenue. At that time, our former Governor assured the taxpayers, This increase will only be temporary, the rate will roll back beginning in 2012 and then it will hit 3.9 percent in 2015. Well, of course we all know what happened. That rollback didn't occur. It has taken until now, 2023—seven years after the Governor's promised deadline—to finally reduce the state income tax in a meaningful way.

We learned last month, thanks to a tax bill passed in 2015 and responsible budgeting by government—Republican legislative leadership—the state will achieve the necessary surplus to mandate an automatic income tax rollback. This is great news. Finally, a mandated rollback the government cannot stop. But, wait. Governor Whitmer and the Democrats have a plan to do exactly that. Their scheme involves handing out a pitiful, puny, one-time \$180 tax rebate—only \$90 if you're a married couple, possibly taxable—in order to stop the income tax rollback from putting more money into the pockets of the taxpayers each and every year going forward. What, could it be? Yes, it's the old shift and shaft.

I wonder if our Democratic leaders can't comprehend that we are competing with other states. The U.S. Census Bureau displays data that shows Florida and Texas added more residents than any other state in the past number of years. It is noteworthy, neither of these states collect any income tax from its residents. However, U-Haul and Atlas Van Lines reported in January that Michigan is in the top 5 for the highest percentage of people leaving the state, moving out in 2022. Michigan lost over 9,500 people to Florida alone, and our workers are moving to places like Washington, North Carolina and Virginia. We simply have got to stop disincentivizing Michiganders from building their lives here. No one should have to leave the Great Lakes State for a better quality of life because they can't afford to live here in Michigan. On the contrary, we should be working hard to reverse these trends and become a one-way moving in destination.

The Democrats shift-and-shaft scheme is just the latest in a long saga of the history of Democrat tax schemes to swindle Michiganders out of their hard-earned tax dollars and grow the size of government on their backs. Thank you, Mr. President, and I urge a “no” vote on this bill.

Senator Daley's statement is as follows:

First off, I want to mention that I truly support all of my colleagues that have gone before me and everything they have said. I am going to take a little different twist on this and that is showing my frustration with the process that has been taken regarding this legislation. Pushing it through conference committee without allowing amendments, constantly changing the goals and content of the bill, and leaving us with only rumors rather than written policy are all actions that suggest dishonesty. Michigan taxpayers deserve transparency in their legislative process rather than secrecy, especially when they are about to be cheated out of the universal tax relief already promised by law. The way that the majority has treated this bill hurts not only my colleagues on this side of the aisle, but every Senator in this chamber and the institution as a whole. I have served in the minority before, and yet I have never seen anyone legislate like this. It is my hope that we can get back to the traditional, open legislative process that has served Michigan well for so long. That is what the people of this state deserve.

Senator Bellino's statement is as follows:

Mr. President, this bill reminds me of bad phone calls we used to get 20, 25, or 30 years ago that went like this, “Kind sir or madam, I am a deposed royal prince in urgent need of your assistance and your bank routing number.” Because that's exactly how transparent this scam is. This bill is nothing but a phishing scam, a Three-card Monte, and a shell game rolled into one. It would make Bernie Madoff blush. Just hand the permanent income tax cut over to the people. They deserve it.

Mr. President, our state government is sitting on \$9 billion and the inflation relief Democrats are offering most taxpayers is just 50 cents per day. A family of four making \$60,000 per year? 50 cents per day. A newly married couple filing jointly making \$80,000 per year? 50 cents per day. A single mom with two kids making \$70,000 per year? 50 cents per day.

Mr. President, this reminds me of 1965, Roger Miller singing, “Trailer for sale or rent, rooms to let, fifty cents.” We’re a long way from 1965, Mr. President. We have to understand this isn’t your money. This is the people’s money and they want it. Mr. President, Democrats trying to avoid lower taxes with no surprise to anyone. This Governor has fought tax relief every day she’s been in office. But what’s surprising is how little Democrats think of Michigianians. They actually think they’re going to thank you for the two extra quarters per day they’ll get while they’re struggling to afford groceries, struggling to pay rent, struggling to heat their homes, and struggling to get by day to day.

I applaud the raising of the EITC—in fact I voted for it a few weeks ago. I am thrilled my first responders get immediate relief. But I am bummed that one of the Governor’s main taglines during her first election was that she was going to eliminate the pension tax, and it will all come to fruition after she is out of office.

I urge a “no” vote on this obvious phishing scam on the people of the state of Michigan.

Senator Nesbitt’s statement, in which Senators Theis and Victory concurred, is as follows:

I understand that originally this bill was supposed to provide real, immediate relief for struggling families. This could have been done in a broad, bipartisan way, a way that we could have had the Earned Income Tax Credit signed a few weeks ago into law and done in a bipartisan way. Some of these retirement pension exemptions, though not perfect, is a bit better than how they were, that could have been done in a bipartisan way and signed into law weeks ago also. Instead, the Governor and the Democratic majority seems intent on stopping a tax cut for all working families and all seniors, everybody that pays taxes in the state of Michigan. Instead, they are trying to concentrate on having automatic funding for corporate handouts to some of the most profitable multinational corporations in the world, and put that in automatic funding for the rest of the Governor’s administration. So we could have had some bipartisan consensus early on, a few singles, instead they’re trying to get a home run to cut the legs out of the Legislature and also try to attempt their stop of an income tax rollback that could help all working families.

For example, a single mother of two making \$55,000 a year under this bill would get a one-time-rebate check, nothing further going into the future. And that’s just for this year. A family of four making \$60,000 a year working? These working policemen, working firefighters, working teachers? No benefit under this bill other than a one-time check, that of course will be taxed and if you’re married there’s a penalty for that. If you have children, no kicker. This was supposed to be something that provided real, immediate relief to all Michigan seniors. But instead, this proposal provides no long-term tax relief for more than two-thirds of Michigan’s seniors. Let me say that again, for every Michigan senior who has an IRA, a 401K, a pension, there are two who won’t see any relief, long-term relief on this plan. How is that fair? How is that right? Well, I don’t think it is. I think this is just another big government scheme that picks winners and losers, and lessens the say of the Legislature over the next coming years.

Not only does this proposal miss the mark on the things that should have gotten done very easily, it includes this bait-and-switch scheme to cheat all Michigan taxpayers out of the long-term tax relief that they were promised. When asked how the Governor arrived at the amount of \$180 per taxpayer rebate check, she simply responded with, Math. To be fair, she was telling the truth. She figured out how much needed to magically disappear off from last year’s books in order to stop the scheduled income tax cut. They crafted an accounting scheme of literally shifting money back in time and giving a one-time rebate in exchange for permanent tax relief. They create a fund in 2023 to do an income tax shift in 2022. In the private sector, some would call that fraud.

Michigan taxpayers, I think, can see this game, they can see through this. Unfortunately, our Republican plan of providing a \$500 per-child tax credit was defeated a few weeks ago, tax relief for all seniors, not just for certain seniors was defeated a few weeks ago. And, upholding the law to lower the income tax was rejected by this Democratic majority. The reason our immediate and ongoing tax relief was rejected was because the Governor has some big spending plans ahead. We saw that roll out last week. The State Budget Director revealed last week that the Governor’s proposed Fiscal Year 2024 spending plan will wipe out all but \$250 million of the \$9.2 billion surplus. And to top it off, the tax proposal before us today, incredibly, includes diverting taxpayer money into a corporate welfare fund instead of staying focused on providing relief for families, seniors, and small businesses. Everybody talked about small businesses, but when are you there to actually deliver some relief for them?

And yet, in this is a billion-and-a-half dollars to a special fund for these multinational corporations. This didn’t need to be this way. We stood ready, willing, and able to work together to find a package that delivered results for Michigan residents. Instead, we watched as this proposal was crafted behind closed doors without committee hearings or open debate. Unfortunately, this proposal and process, too much of the time, wreaks of what we see in Washington: Handouts for corporations, smoke and mirrors to deceive the public, accounting gimmicks, and higher income taxes.

We will not be tricked. Senate Republicans won’t be tricked. We won’t be pressured or arm-twisted into taking a bad deal for Michigan families, seniors, and small businesses. It simply won’t happen.

Senator Webber under his constitutional right of protest (Art. 4, Sec. 18), protested against the adoption of the first conference report to House Bill No. 4001 and moved that he be permitted to submit, in writing, his reasons for voting “no” for inclusion in a subsequent Journal.

The motion prevailed.

Senators Moss, McMorrow, Irwin and Brinks asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Moss’ statement is as follows:

I rise with my “yes” vote explanation. And I’m humored by the dramatics from the other side of the aisle as they oppose what will be the largest tax cut in Michigan in decades. I also rise with bewilderment over the Republican objections I keep hearing repeated both on this floor and in the media over the last several weeks. Sometime last year when I was speaking from one of those microphones rather loudly opposing a bill, former Senator Kim LaSata came up to be and said, Hey, Jeremy, you know the volume on the microphone works, so I’m not going to yell it but maybe if we can turn it up a little bit—no one’s taxes increase with this plan. You know how you’ll find out, when you’ll find out we’re telling the truth and they’re not? When your taxes don’t increase. Instead, the Republican minority is hanging its hat on some income tax scheme that they crafted eight years ago and in the successive eight years, they’ve never talked about, they’ve never championed, they’ve never uplifted. Now, all of a sudden, it’s the singular piece that would prevent them from supporting this bill—this bill that doesn’t even deal with the income tax. All the while, in those successive eight years, they controlled the House, they controlled the Senate, and they never, once, ever, brought forward a vote to repeal the unpopular retirement tax that they implemented or boost the working families tax credit. Meanwhile, our Democratic majority moved on these essential items to a vote in just the first month of this term and we’re ready to finalize that vote today.

I do feel compelled to unpack the reason they’re aiming to hold up this large tax cut. Their plan from eight years ago that seeks a reduction in the income tax is the most regressive way we could possibly provide tax relief to those who need it. Even a modest reduction in the income tax helps those who make very little very little, and those who make a lot a lot. This whole debate back and forth reminds me of the failed Chatfield plan of 2017 that a bipartisan coalition recognized was absurdly unbalanced and defeated it. My district is the clear example of who would benefit and who would not from their plan. From data in Forbes last month of the ten wealthiest Michiganders, all of them billionaires, I represent four of them. I can assure you none of them are hurting and none of them have reached out to me for a cut in the income tax. They don’t need it. I also represent some of the most economically-challenged Michiganders who could benefit immediately from the checks in this plan and the increase to the working families tax credit we have here on the board for a vote.

Let’s talk about a tale of two cities in District 7. Pontiac, with a median household income of \$34,673; and it’s neighboring community Lake Angelus, with a median household income of \$214,375, the highest in the state of Michigan. The plan that Michigan Republicans are upholding as more fair would give the average Lake Angelus resident \$386 and the average Pontiac resident \$29. That is indefensible. Instead, the important proposals in House Bill No. 4001, repealing the retirement tax, boosting the working families tax credit, and delivering checks that leave no Michigander behind based on their income, which gives that Pontiac family \$1,412 in relief, are actually the fairest way to deliver relief to folks where it’s needed the most.

Senator McMorrow’s statement is as follows:

You know, I first want to start by agreeing with one of our previous colleagues that we shouldn’t be voting on this today. We should be singularly focused on what happened this week. And we wanted to take up this bill on Thursday but our colleagues on the other side of the aisle decided to pull a cute trick instead.

So here we are a few days later when we’ve been trying to give those impacted by inflation the most immediate relief and we’re doing so today. I want to echo my previous colleague in noting that it’s been fascinating to hear our colleagues on the other side of the aisle continuing to point out the immediacy of the relief needed, while simultaneously fighting for a tax cut for the wealthiest Michiganders that would give crumbs to those who need it most. What can’t be debated is that inflation currently is coming down. The efforts of the Fed are taking are aggressive but they are working to slow it. What can’t be argued is that there are significant groups of people who are impacted most and these are the groups of people that we are trying to help right now. People who are trying to buy their first house, people are trying to feed their kids, people who are trying to give their family the life they deserve.

In order for us to be able to get there, we need to make sure we are focusing our relief efforts on those who need it, not exacerbating income inequality, not giving crumbs year after year after year to families who need

it now, and by the way, this tax cut when written did not factor in the global pandemic we went through that would result in, yes, \$9 billion, most of which is one-time funding, one-time funding we have right now to make generational investments and to put dollars back in people's pockets who need it the most. But it would be irresponsible to consider a permanent tax cut that does not factor in one-time spending that makes permanent cuts to necessary resources to our schools, to our health services, to the things that the very people we should be helping the most need. The things that the very people we should be helping the most expect that their hard-earned tax dollars pay for.

I encourage a "yes" vote on this legislation, a "yes" vote we should have taken on Thursday.

Senator Irwin's statement is as follows:

I rise to support House Bill No. 4001 and to support the historic tax relief that is embodied in this legislation. As I've been listening to the comments from my colleagues, I'm wondering the same thing that a lot of other folks are wondering in our state, which is, Why is it that Republicans are opposed to historic tax relief here in 2023? Well, I have a little story to tell. I was one of the members who was here in 2011 and shortly after being elected to the Michigan House of Representatives, serving in that chamber, we had some historic tax changes at that time. At that time Governor Snyder and Michigan Republicans were advancing a tax cut for wealthy Michiganders and they paid that bill by raising taxes on seniors on a fixed income and by raising taxes on low-income workers. Now, 12 years later, Democrats are poised to repeal the Republican retirement tax and not just restore the earned income tax credit to where it was but to actually expand it further. This historic tax relief is targeted and it's going to provide an average of \$500 to \$700 per year to low-income workers. That makes a big difference for the people who are struggling right now and that's why the relief is targeted in that way. This historic tax cut will put \$1,000 additional into the pockets of our seniors on a fixed income. And I can think of few things that crystalize the fundamental difference between Democrats and Republicans in these United States than the answer to the question, Who are you fighting for? Democrats are here fighting for low-income workers, providing targeted tax relief for our seniors on a fixed income, while Republicans are standing up for the people they've always stood up for, the wealthy, the well-heeled. And so when you press that button today, I ask you, Who are you fighting for? I know who I'm fighting for. I'm fighting to make a fairer economy, a stronger Michigan, and I'm proud to vote "yes" on historic tax relief that is targeted to low-income families and targeted to our seniors.

Senator Brinks' statement is as follows:

I rise today to offer my support for the bill before us. This bill is a product of many long conversations over the past decade at coffee hours, on doorsteps, and in the halls of our Capitol. All of this work has been rooted in a single question. What can we do to help the people of Michigan? It's a question I know motivated many of you to run for office, and it certainly motivated me. Before I was elected, I was a nonprofit caseworker who helped remove barriers that kept people from being successful at work. Grandma fell and broke a hip. A teenage kid got suspended. A spouse left. Daycare fell through. Their car won't start. The roof leaks. Domestic violence. Eviction. Arrest. Medical emergency. Or a car accident. My job was to marshal the best resources of businesses, nonprofits, and government to help keep people working. I'd help them map out their household budgets and file their taxes, and yes, for many of them, the EITC or the working families tax credit was a major factor in how they were going to pay their bills of the month or afford new clothes for a growing child. More often than not, it was used to catch up on rent, to pay a medical bill about to go to collections, to replace their balding tires, or make a major car repair that had waited too long so they wouldn't miss work. So that they could pay their rent, pay that other medical bill, and another car repair, and keep going to work every day just to keep their heads above water. These are hard-working people, doing the best they can yet hardly getting by and there are more of them in each and every one of our districts than you might imagine.

I was thinking of those people when the previous administration decided to balance the state's budget on their backs, on the backs of some of the most vulnerable but hardest working people I have ever met. I knew there had to be a better way and the reason I said yes to running for office was because I hoped I could make a difference in these people's lives. Instead of one person, one family, one student at a time, I could use my power to make meaningful change for tens of thousands of people in my community.

To return to my original question, does this offer real solutions to real people and fix real problems? I can tell you exactly that it does. It helps seniors who have carefully budgeted for their golden years and deserve to keep more money in their pockets. It helps everyone who has felt the sting of inflation and it helps those working two or three jobs trying to make ends meet. Before us is a pragmatic plan that gets to the heart of what Michiganders have been asking for, a little bit of breathing room. The plan is comprised of components that have received bipartisan support in this chamber. We've included those elements and incorporated feedback we've heard from the other side of the aisle. The result is a bill that provides bigger, broader,

longer-lasting tax relief to more Michiganders than anything supported by the other side of the aisle in the last decade that I've served the people of our state in this Capitol. A "yes" vote on this bill is a vote for the 500,000 retirees who stand to save under this plan, for the 700,000 households of people working hard but earning the least. It's a vote for police and for firefighters and for all retirees who deserve fairness. It's a "yes" vote for all of us who want to see our communities develop and thrive. A "yes" vote is a vote for thousands of workers who will benefit from the strategic investment in creating jobs that ensure people don't ever have to see a caseworker at a nonprofit because they can't pay their bills and they just don't have anywhere else to turn.

If we work together, we have an opportunity to get this real relief out the door and into people's hands in days. I want to be clear. A "yes" vote on this bill is not the only "yes" vote we need to get this immediate relief to Michiganders. This plan is rooted in deeply-held core values that I would hope we all share. Values like fairness, honesty, pragmatism, and making sure every Michigander has a shot at financial security and all the good things that come with it. It's a common mantra in this building to state that where you put your resources reflects your priorities, and today we are being loud and clear with ours. It's time to put the people—the real people of our districts who sent us here—at the core of everything we do. I believe this bill is a true representation of those values and I encourage your "yes" vote on the bill and to implement it immediately.

By unanimous consent the Senate proceeded to the order of

### **Resolutions**

Senator Camilleri offered the following resolution:

#### **Senate Resolution No. 10.**

A resolution to urge the United States House of Representatives not to take up H.R. 25 of 2023 or otherwise impose a national sales tax.

Whereas, A bill has been offered in the United States House of Representatives, H.R. 25 of 2023, to impose a national sales tax. This proposal would impose, beginning in 2025, a sales tax at an effective rate of 30 percent of the pre-tax price of the taxable good or service, making necessary goods and services more expensive for working people in Michigan and across the nation who already struggle to make ends meet; and

Whereas, The United States federal government currently assesses a progressive income tax. Under its design, tax rates increase as income rises, focusing the tax burden on the wealthiest taxpayers most capable of paying. According to the Tax Foundation, in 2019 the top one percent of earners paid a 25.6 percent average individual income tax rate, while the bottom 50 percent of earners paid an average rate of 3.5 percent; and

Whereas, This national sales tax proposal would replace the federal income tax, which would have significantly regressive consequences. A 2004 Brookings Institution analysis concluded that such a 30 percent national sales tax would see taxes rise for households in the bottom 90 percent of the income distribution, while households in the top 1 percent would receive an average tax cut of over \$75,000. This shift would tip the scales further in favor of the most wealthy to the detriment of the working class in Michigan and across the nation; and

Whereas, While the proposed legislation ostensibly addresses this problem by offering a "prebate," or up-front cash grant equal to the amount of sales tax that Americans must pay to maintain a minimum standard of living, research shows this would ultimately hurt the middle class. When the President's Advisory Panel on Federal Tax Reform studied the subject in 2005, it recommended against adopting a national sales tax with a "prebate" because middle-income Americans would pay a larger share of the federal tax burden; and

Whereas, Another significant issue with the proposed reform is that eliminating the federal income tax would force states like Michigan to substantially change their tax laws. The Michigan Income Tax Act defines "taxable income" by reference to the term's definition under the federal Internal Revenue Code, with additional adjustments and deductions offered. Eliminating the federal income tax would require Michigan to either abandon its own income tax or spend resources defining concepts currently contained in federal law and creating state-level systems for income reporting. Such a monumental upheaval of tax law in Michigan would require the expenditure of significant resources by both the government and taxpayers; now, therefore, be it

Resolved by the Senate, That we urge the United States House of Representatives not to take up H.R. 25 of 2023 or otherwise impose a flat-rate national sales tax; and be it further

Resolved, That copies of this resolution be transmitted to the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations,

Senator Singh moved that the rule be suspended.

The motion prevailed, a majority of the members serving voting therefor.

The question being on the adoption of the resolution,

Senator Singh moved that further consideration of the resolution be postponed for today.

The motion prevailed.

Senator Geiss was named co-sponsor of the resolution.

Senator Brinks offered the following resolution:

**Senate Resolution No. 11.**

A resolution to amend the Standing Rules of the Senate.

Resolved by the Senate, That Rule 1.101 of the Standing Rules of the Senate be hereby amended to read as follows:

1.101 PRESIDING OFFICER

a) The Lieutenant Governor shall be the President of the Senate and shall preside over all sessions of the Senate. If the Lieutenant Governor is absent, the President pro tempore, ~~or Assistant President pro tempore, or Associate President pro tempore~~ shall preside.

b) The Lieutenant Governor may vote only when the Senators are equally divided in their vote (see Const. Art. 5, Sec. 25).

c) In the absence of the President of the Senate, President pro tempore, ~~and Assistant President pro tempore, and Associate President pro tempore~~, the Secretary of the Senate shall preside until the Senate shall appoint a Senator to act as presiding officer or until the President of the Senate, President pro tempore, ~~or Assistant President pro tempore, or Associate President pro tempore~~ shall appear. In the absence of all Senators, or all but one Senator, the Secretary of the Senate shall preside.

Resolved by the Senate, That Rule 1.104 of the Standing Rules of the Senate be hereby amended to read as follows:

1.104 ELECTION OF SENATE OFFICERS

a) At the first session of a quadrennium, a President pro tempore, ~~and Assistant President pro tempore, and Associate President pro tempore~~ shall be elected by a vote of a majority of the Senators elected and serving. All officers elected by the Senate hold office until their successors are elected and qualified or until the expiration of their Senate term, whichever occurs first.

b) Prior to the commencement of the quadrennium session, the majority party shall meet in an organizational caucus and elect a Majority Leader, Majority Floor Leader, Majority Whip, Majority Caucus Chairperson, Assistant Majority Leaders, Assistant Majority Floor Leaders, Assistant Majority Whip, and Assistant Majority Caucus Chairperson. At a similar organizational caucus, the minority party shall elect a Minority Leader, Minority Floor Leader, Minority Whip, Minority Caucus Chairperson, Assistant Minority Leader, Assistant Minority Floor Leader, Assistant Minority Whip, and Assistant Minority Caucus Chairperson.

c) All majority party Senate officers shall serve at the pleasure of the majority party caucus. All minority party Senate officers shall serve at the pleasure of the minority party caucus.

d) All majority and minority party caucuses shall be subject to Section 8 of the Open Meetings Act (see MCL 15.268).

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations,

Senator Singh moved that the rule be suspended.

The motion prevailed, a majority of the members serving voting therefor.

The question being on the adoption of the resolution,

Senator Lauwers requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The resolution was adopted, a majority of the members serving voting therefor, as follows:

**Roll Call No. 24**

**Yeas—20**

Anthony  
Bayer

Chang  
Cherry

Klinefelt  
McCann

Polehanki  
Santana

Brinks  
Camilleri  
Cavanagh

Geiss  
Hertel  
Irwin

McDonald Rivet  
McMorrow  
Moss

Shink  
Singh  
Wojno

**Nays—17**

Albert  
Bellino  
Bumstead  
Daley  
Damoose

Hauck  
Hoitenga  
Huizenga  
Johnson

Lauwers  
Lindsey  
Nesbitt  
Outman

Runestad  
Theis  
Victory  
Webber

**Excused—1**

McBroom

**Not Voting—0**

In The Chair: President

**Protest**

Senator Nesbitt, under his constitutional right of protest (Art. 4, Sec. 18), protested against the adoption of Senate Resolution No. 11.

Senator Nesbitt’s statement is as follows:

It’s unfortunate that forging ahead on a rules change without discussion, without negotiations with the Senate minority is highly suspect but historically wrong. It goes against the rules—really the traditions in this Senate for as far back as I can find. Always say, What’s good in the majority is good in the minority. Some of these rules, which we are still trying to go through right now, without being read, without being shared, I think is wrong. The one thing I know that’s in the rule changes was an elimination of a position and I think it stems from some of the things last week.

I’m going to read a quote, The majority party needs to realize that we’re here and we’re standing up for what our residents believe in, and so we’re going to fight every possible way that we can. I wish I could say I crafted that statement myself, or that it was my dedicated staff, but in fact it was my friend—the Senator from the 3rd District in the fall of 2021—just last term. She made that comment after executing a pre-planned ploy to adjourn the Senate early with the help of yourself, Mr. President, who was quick with the gavel along with a former colleague of ours who now works in the Governor’s office; I remember how jovial he was after pulling off that procedural move. They did so after feeling like the minority had been mistreated and left out of the processes. So they used the rules to send a message. That is what happened in the chamber last Thursday, simply used the rules—the rules that have been utilized by this chamber for decades, rules proposed by the majority party for this session, rules adopted with strong bipartisan support of this chamber, yet not even outside the first inning of this game, of this term, the majority party is changing these rules.

We did so because the final bill that was about to be jammed through this body had not been seen in its entirety until about five hours prior. A bill that was hijacked by the Governor’s office to deny every Michigan taxpayer a tax cut and give the Governor broad discretion to use those savings to dole out to corporations as she sees fit. The bill received no committee hearings, nobody in the minority was recognized in the conference committee, no debate in the House, all while the majority was asking us to help them pass the Governor’s secret scheme—we said no.

Now, we used the tools at our disposal to delay the vote. So the people of Michigan, the very people who would see changes in their—their tax cut in the bill would be canceled—could read it and see what's in it. Now, when my friend from the 3rd District assisted in the minority's procedural hijinks last session, the Majority Leader at the time simply said that the minority had pulled one over on them. No public threats. No insinuations of consequences. Just a professional acceptance that on that day, they had been had. You don't punish people for following the rules. Especially after using those same rules to avoid hearings and silence debate.

Again, and I wholeheartedly mean this, I hope we can hit the reset button and go back to operating this chamber as it was intended and as it has been operated for decades now, through discussion, open debate, and professional courtesy. Yeah, our caucus knows it will see the losing end of some of these votes, but at least we will be allowed our insight and permit the voices of our constituents to be heard. That is all I'm asking for. Thank you, Mr. President.

Senator Brinks offered the following resolution:

**Senate Resolution No. 12.**

A resolution to amend the Standing Rules of the Senate.

Resolved by the Senate, That Rule 3.505 of the Standing Rules of the Senate be hereby amended to read as follows:

3.505 VOTING

a) After a question is presented to the Senate by the presiding officer, and after the time for debate, no motion shall be in order and no Senator shall be entitled to speak until the vote is finished and the result declared.

b) The electronic voting system ~~shall may~~ be used, ~~if operational~~, to determine the question before the body when the vote is taken by roll call or by division and shall display the votes of each Senator. At the direction of the presiding officer, the Secretary of the Senate shall immediately activate the electronic voting system for one minute for a roll call vote, after which the vote shall be closed and no further votes shall be entered in the record. If all Senators present have voted before one minute has elapsed, the presiding officer may ask Senators if there is objection to closing the vote. If no Senator objects, the presiding officer shall instruct the Secretary of the Senate to close the board immediately and record the vote.

c) The presiding officer may close a division vote at his or her discretion when it appears that all members present have had a reasonable opportunity to vote.

d) If the electronic voting system is not operational **or in use**, the presiding officer shall direct the Secretary of the Senate to conduct a roll call or a division vote orally and to announce the results and record the roll call.

e) A Senator shall not vote for another Senator. A person who is not a Senator shall not vote for any Senator. In addition to penalties prescribed by law, any Senator may be punished as the Senate may determine for voting for another Senator. If a person who is not a Senator votes or attempts to vote, he or she, in addition to penalties prescribed by law, shall be barred from the Senate floor for the remainder of the day's session and may receive further punishment in the discretion of the Senate Majority Leader.

Pursuant to rule 3.204, the resolution was referred to the Committee on Government Operations.

By unanimous consent the Senate returned to the order of

**Motions and Communications**

The following communication was received and read:

Office of the Senate Majority Leader

February 16, 2023

Pursuant to Senate Rule 1.105 I hereby announce the appointments of Senators to standing committees for this the 102nd Legislature.

Energy and Environment Committee

1. Remove Senator Lauwers
2. Remove Senator Bellino
3. Senator Damoose, Minority Vice Chair

Regulatory Affairs Committee

1. Remove Senator Lauwers
2. Remove Senator Bellino

Transportation and Infrastructure Committee

1. Senator McBroom, Minority Vice Chair

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,  
Winnie Brinks  
Senate Majority Leader  
29th District

The communication was referred to the Secretary for record.

### Committee Reports

#### COMMITTEE ATTENDANCE REPORT

The Committee on Labor submitted the following:

Meeting held on Thursday, February 16, 2023, at 8:30 a.m., Room 1300, Binsfeld Office Building

Present: Senators Cherry (C), Camilleri, Cavanagh and Albert

### Scheduled Meetings

#### Appropriations -

##### Subcommittee -

**DHHS** - Tuesday, February 21, 8:30 a.m., Senate Hearing Room, Ground Floor, Boji Tower (517) 373-2768

**EGLE** - Thursday, February 23, 3:00 p.m., Room 403, 4th Floor, Capitol Building (517) 373-2768

**Military, Veterans, State Police** - Tuesday, February 21, 9:00 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

**Housing and Human Services** - Tuesday, February 21, 12:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower (517) 373-5323

**Local Government** - Tuesday, February 21, 1:30 p.m., Room 1200, Binsfeld Office Building (517) 373-5312

Senator Singh moved that the Senate adjourn.

The motion prevailed, the time being 2:47 p.m.

The President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Tuesday, February 21, 2023, at 10:00 a.m.

DANIEL OBERLIN  
Secretary of the Senate