



Michigan Constitutional Issues

Sixteenth in a series of papers about state constitutional issues

At the November 3, 2026, general election, Proposal 2026-01 will ask voters whether a constitutional convention should be convened for the purpose of a general revision of the 1963 Michigan Constitution. Article XII, Section 3 provides that in 1978 and every 16 years thereafter the question of a general revision of the constitution shall be submitted to voters. If the question is approved, the convention would convene in Lansing on October 5, 2027. If rejected, it will automatically appear on the ballot again in 2042.

Proposal 2026-01 will ask voters:

Shall a convention of elected delegates be called for the purpose of a general revision of the Michigan Constitution, any such revision to be submitted to the voters for ratification?

The Citizens Research Council is publishing a series of papers to provide information which voters may use to decide whether the convening of a constitutional convention is in the best interest of Michigan at this time. The Citizens Research Council takes no position on the question of calling a constitutional convention. It is hoped that examination of the matters identified in the papers in this series will promote discussion of vital constitutional issues and assist citizens in deliberations on the question of calling a constitutional convention.

PROPOSAL 2026-01 - CONSTITUTIONAL REVISION

At the November 3, 2026, general election, Proposal 2026-01 (Proposal 1) will ask Michigan voters whether to call a constitutional convention to revise the 1963 Michigan Constitution. That convention would be charged with drafting a general revision of the state constitution to be submitted to the voters at a later date. The question is [automatically placed on the ballot](#) by a provision of the current constitution that requires the question to be asked every 16 years. Previous questions were defeated in 1978, 1994, and 2010.

The Vote and Process

If Rejected

If Proposal 1 is rejected, Michigan's state and local governments will continue operating under the 1963 Constitution and this question will be slated to automatically appear on the general election ballot in 2042.

Special Elections

If voters opt to call a convention, delegates would be selected on a partisan ballot. Two elections would be held to choose delegates to a 2027 convention: a special primary election would be held in February 2027 and a special general election would be held in May 2027. In total, voters would elect 148 convention delegates: one for each district of the Michigan House of Representatives (110 delegates) and one for each district of the Michigan Senate (38 delegates).

Delegates Convene

The 1963 Constitution provides that a convention would convene in Lansing on October 6, 2027. The delegates would select convention leadership from among their members, including a president, vice president(s), and committee chairs. They would hire administrative personnel and establish convention rules or bylaws. The Constitution does not stipulate a time limit or deadline by which a new constitution should be drafted. The costs of holding a convention, as well as the costs to run two elections to choose its delegates, would be borne by state taxpayers and require an appropriation from the state legislature.

Constitutional History

Michigan’s current constitution was [narrowly adopted by the voters](#) in 1963. Since then, [98 proposed amendments](#) have been initiated by the legislature and voter-circulated petitions. The voters have adopted 44 amendments, most frequently amending Article IX (Finance and Taxation) and Article IV (Legislative Branch). Article I (Declaration of Rights), Article V (Executive Branch), Article II (Elections), and Article VIII (Education) have been amended less frequently. Some articles, such as Article VII (Local Government), have never had an amendment proposed, let alone adopted.

Approval Vote

After a convention does its work and a proposed new constitution is drafted, it must be submitted to the voters who will decide whether to adopt a new constitution or keep using the current, 1963 Constitution.

Constitutional Issues

Why might voters decide a new constitution is desirable? Why might they decide that the current constitution is satisfactory?

From February to September of this year, the Citizens Research Council of Michigan [reviewed the provisions in each article](#) in the current constitution. This 15-part analysis found sections and articles that have withstood the test of time and seem to be working as intended. Across several current articles, the Research Council found provisions that have come under scrutiny over the years and likely would be the subject of debate and reform efforts at a convention. The Research Council also identified provisions that are obsolete and violate provisions of the U.S. Constitution that should be amended or struck from the state’s constitution.

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Highly Charged Provisions

The Constitution contains a number of provisions that sharply divide certain segments of the state's population. Depending on where one stands on these issues, Proposal 1 may be seen as a threat to, or an opportunity to, alter existing governmental powers, limitations and public policies. These provisions include: several sections of the [Declaration of Rights](#), including women's reproductive rights, a ban on same sex marriage, a prohibition on certain affirmative action programs, authorization for stem cell research, and death penalty restrictions; voting rights embedded into the [Elections](#) article; creation of term limits in the [Legislative Branch](#) and [Executive Branch](#) articles; a requirement for the election of judges in the [Judicial Branch](#) article; provisions for [local government](#) home rule; a grant of autonomy to the state universities in the [Education](#) article; provisions in the article on [Finance and Taxation](#) that secure tax and revenue limitations, dedicate tax revenues to specific purposes, and prevent public dollars from funding private school education; the [Property](#) article that creates a restriction on the use of eminent domain for economic development purposes; and the [Amendment and Revision](#) article that provides for the process of amending the constitution.

Policy Issues

A constitutional convention may be seen as an opportunity to reexamine current state policies on a number of basic issues fundamental to the operation of state and local governments. A convention may wish to revisit: the direct democracy provisions related to recall, referendum, and voter initiation of [legislation](#) and [constitutional amendments](#); the bicameral legislature and the [size of each house](#); the [powers of the governor](#) to reorganize state departments; the selection of members of the Michigan Supreme Court and funding of the [judicial system](#); the types and powers of [local governments](#); [public education](#) as a right that should receive preeminence in funding; the [power to tax](#) and the limitations that should be placed on those powers; expanded ethics and conflict of interest for state legislators and executive branch officials the process for setting compensation of state elected officials; and control of the state's [civil service system](#).

Inoperative and Obsolete Provisions

Finally, the Michigan Constitution includes lower profile provisions that could be addressed to bring the document into alignment with current practices. States have considerable discretion in drafting the fundamental laws that govern their operations and that afford rights to their citizens. While delegates to a constitutional convention would be free to propose entirely new provisions and/or eliminate existing provisions, it should be noted that state constitutions are bound by the parameters of the U.S. Constitution and may not violate the provisions contained in that document.

State constitutional provisions that are obsolete because they violate the provisions of the federal constitution make the language of a state constitution

confusing and misleading. These provisions should be removed or revised to reflect the current status of law. For example, [Article II](#) (Elections) contains two original sections related to the voting age and requirements for property ownership to participate in certain elections that are obsolete. It also contains a section that provides term limits for the state's officials elected to federal offices that the U.S. Supreme Court has determined to be unconstitutional. [Article VII](#) (Local Government) creates county boards of supervisors consisting of one member from each organized township and representation from cities. Because those governments tend to have unequal populations, this provision violates the federal one-person-one-vote requirements. If nothing else, a constitutional convention would aim to clean up provisions such as these.

A Fact Tank Cannot Run on Fumes

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