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USE NATIONAL GUARD FOR DRUG LAW ENFORCEMENT

House Bill 4860

Sponsor: Rep. Jim McBryde

Committee: Judiciary

Complete to 3-6-98

A SUMMARY OF HOUSE BILL 4860 AS INTRODUCED 6-3-97

The bill would amend the Michigan Military Act to allow for the deployment of the national guard for enforcement of laws against the illegal importation, sale, delivery, possession, or use of drugs in this state and in other states.

The bill would expand the governor's authority to enter into reciprocal agreements with the governors of other states to authorize the use of the national guard in those other states for mutual assistance in the public interest. Currently, the circumstances under which such agreements may be entered are times of invasion, rebellion, public disaster, or catastrophe. The bill would also allow such agreements to be made in order to assist state or local law enforcement agencies with the enforcement of the laws of this state or similar laws of other states that prohibit the importation, sale, delivery, possession, or use of illegal drugs.

When engaged in support duty to a federal, state, or local law enforcement agency, a member of the national guard from this state or another state would have the same degree of immunity as a police officer. Further, the national guard would be designated as a law enforcement agency for the purpose of receiving or using property or money forfeited under certain federal laws, including the United States Code, the Tariff Act of 1930, and the Comprehensive Drug Abuse Prevention and Control Act of 1970.

MCL 32.505 et al.

Analyst: W. Flory

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