

Senate Fiscal Agency  
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**SFA**

BILL ANALYSIS

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House Bill 5341 (Substitute H-1 as passed by the House)  
House Bill 5342 (Substitute H-1 as passed by the House)  
Sponsor: Representative Ken Bradstreet (House Bill 5341)  
Representative Larry Julian (House Bill 5342)  
House Committee: House Oversight and Operations  
Senate Committee: Judiciary

Date Completed: 11-7-01

## **CONTENT**

**House Bill 5341 (H-1) would create the "Legislative Sergeant At Arms Police Powers Act" to allow the Senate and the House of Representatives to commission as police officers the sergeant at arms and one or more assistant sergeants at arms within each respective house of the Legislature. The bill would be repealed three years after its effective date.**

**House Bill 5342 (H-1) would amend the Commission on Law Enforcement Standards Act to include in the definition of "police officer" or "law enforcement officer" the sergeant at arms or any assistant sergeant at arms of either house of the Legislature who was commissioned as a police officer by the Senate or the House under the proposed Legislative Sergeant At Arms Police Powers Act. That provision would be included in the definition until the expiration of three years after the bill's effective date.**

The bills are tie-barred.

A more detailed description of House Bill 5341 (H-1) follows.

Under the bill, each house of the Legislature could commission its sergeant at arms and one or more assistant sergeants as police officers to enforce rules adopted by that house of the Legislature and Michigan laws, as designated by the Senate and the House, respectively. In performing those enforcement activities, commissioned sergeants at arms and assistant sergeants at arms would be vested with the powers, privileges, prerogatives, and immunities conferred upon police officers under Michigan law.

The office of sergeant at arms of each house of the Legislature would be a Michigan law enforcement agency. A sergeant at arms or assistant sergeant commissioned as a police officer under the bill would be subject to the training and certification requirements under the Commission on Law Enforcement Standards Act.

Each commissioned sergeant and assistant sergeant would have the power to enforce Michigan laws and rules adopted by the house of the Legislature that commissioned him or her in the following places:

- The capitol and capitol grounds.
- Buildings in which the offices of legislative members were located.
- Locations where either house of the Legislature or a legislative committee or subcommittee was holding a session, meeting, or public hearing, including a reasonable time before and after the session, meeting, or hearing.
- Legislative parking areas.
- Areas immediately adjacent to the places described above.

A sergeant at arms or assistant sergeant commissioned as a police officer under the bill could exercise his or her authority as a police officer at locations where either house of the Legislature or a legislative committee or subcommittee was holding a session, meeting, or public hearing only while actually engaging in his or her duties as the sergeant at arms or an assistant sergeant at arms under the rules adopted by the Senate or the House.

The Senate, pursuant to its rules, could delegate to the Senate Majority Leader, the Secretary of the Senate, or other Senate officers or employees the authority to commission the sergeant at arms or assistant sergeants as police officers. The House of Representatives, pursuant to its rules, could delegate to the Speaker of the House, the Clerk of the House, or other House officers or employees the authority to commission the sergeant at arms or assistant sergeants as police officers.

At least once per legislative session, the individuals designated to supervise the sergeants at arms under Senate and House rules, or their designees, would have to report to the Senate Government Operations Committee and the House Oversight and Operations Committee on the activities of the sergeants at arms and other matters of interest involving the security and decorum in their respective houses of the Legislature.

MCL 28.602 (H.B. 5342)

Legislative Analyst: P. Affholter

### **FISCAL IMPACT**

The bills would result in minimal costs to the House and Senate depending on the number of sergeants at arms commissioned as police officers. Currently, five of eleven House sergeants and six of nine Senate sergeants previously have met the training and certification requirements of the Commission on Law Enforcement Standards. Costs regarding recertification training would depend on the amount of time that lapsed since an individual was employed as a Commission-certified law enforcement officer. The cost of recertification training is \$850 per officer.

Fiscal Analyst: B. Bowerman

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.