

Legislative Analysis



ALLOW RESERVE POLICE OFFICERS TO POSSESS TASER

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House Bill 4013

Sponsor: Rep. Richard LeBlanc

Committee: Judiciary

Complete to 3-9-11

A SUMMARY OF HOUSE BILL 4013 AS INTRODUCED 1-13-11

The bill would authorize reserve police officers, auxiliary officers, and reserve officers to possess and use an electro-muscular disruption (EMD) device, such as a Taser, in the performance of their duties.

The Michigan Penal Code allows the possession and use of an electro-muscular disruption device, such as a Taser, by certain authorized professionals associated with keeping the peace or making arrests, state and local correctional officers, probation and court officers, and airline pilots and crew members, as long as the individual is properly trained in the safe operation of the device and the device is used in the performance of the person's official duties.

House Bill 4013 would amend Section 224a of the Michigan Penal Code (MCL 750.224a) to include a reserve peace officer, auxiliary officer, or reserve officer, as those terms are defined in Section 1 of Public Act 372 of 1927, in the list of professionals authorized to possess and use an electro-muscular disruption device, such as a Taser.

[Section 1 of Public Act 372 of 1927 defines "reserve peace officer," "auxiliary officer," or "reserve officer" to mean, except as otherwise provided in that act, "an individual authorized on a voluntary or irregular basis by a duly authorized police agency of this state or a political subdivision of this state to act as a law enforcement officer, who is responsible for the preservation of the peace, the prevention and detection of crime, and the enforcement of the general criminal laws of this state, and who is otherwise eligible to possess a firearm" under that act.]

FISCAL IMPACT:

The bill will have an indeterminate fiscal impact on state and local government. It is unknown how many police departments, police officers (reserve to full-time) would purchase and use Tasers, lawfully and unlawfully, in the state.

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