

# Legislative Analysis

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## REVISE REFERENCES TO MCOLES ACT

Phone: (517) 373-8080  
<http://www.house.mi.gov/hfa>

**House Bill 5494 as introduced**  
**Sponsor: Rep. Vanessa Guerra**

Analysis available at  
<http://www.legislature.mi.gov>

**House Bill 5495 as introduced**  
**Sponsor: Rep. Stephanie Chang**

**House Bill 5499 as introduced**  
**Sponsor: Rep. Triston Cole**

**House Bill 5496 as introduced**  
**Sponsor: Rep. Peter J. Lucido**

**House Bill 5500 as introduced**  
**Sponsor: Rep. Jim Tedder**

**House Bills 5497 and 5498 as introduced**  
**Sponsor: Rep. Klint Kesto**

**House Bill 5501 as introduced**  
**Sponsor: Rep. Kathy Crawford**

**Committee: Judiciary**  
**Complete to 4-27-16**

## SUMMARY:

The bills would amend various statutes to refer to peace officers or police officers who are licensed or certified under the Michigan Commission on Law Enforcement Standards Act, rather than those certified under the Commission on Law Enforcement Standards Act, and to revise current references to the Commission on Law Enforcement Standards Act to refer instead to the Michigan Commission on Law Enforcement Standards Act.

Each of the bills are tie-barred to Senate Bill 92 and would take effect 90 days after enactment. [As passed by the Senate, Senate Bill 92 (S-7) would amend the Commission on Law Enforcement Standards Act to codify the Michigan Commission on Law Enforcement Standards (MCOLES); revise various law enforcement standards; require MCOLES to grant a license, rather than certification, to a person who meets the standards and will be employed as a law enforcement officer; and rename the Act as the "Michigan Commission on Law Enforcement Standards Act".]

House Bill 5494 amends the Public Body Law Enforcement Agency Act (MCL 28.586 and 28.587). The bill revises a requirement of law enforcement agencies created under the act to establish and abide by a written policy pertaining to the requirements of Section 9d of the Commission on Law Enforcement Standards Act and also a requirement of public bodies that create law enforcement agencies under the act to comply with the requirements of Section 9d. Instead, an agency would have to establish and abide by a written policy pertaining to the requirement to maintain employment history records, and a public body must comply with the requirement to maintain employment history records for officers in its employ, under the Commission on Law Enforcement Standards Act.

House Bill 5495 amends the Wolf-Dog Cross Act (MCL 287.1002). The bill revises the definition of "law enforcement officer" to include a peace officer who is trained and licensed or certified under the Commission on Law Enforcement Standards Act.

House Bill 5496 amends the Michigan Unarmed Combat Regulatory Act (MCL 338.3633). The bill revises requirements of an "inspector" to include an individual who is *licensed or* certified, or previously *licensed or* certified by the Commission of Law Enforcement Standards under the Michigan Commission on Law Enforcement Standards Act.

House Bill 5497 amends Public Act 372 of 1927, which regulates handguns (MCL 28.421, 28.422a, and 28.432a). The bill revises several references to a certificate issued under the Commission on Law Enforcement Standards Act to instead refer to a *license or* certificate issued under the Michigan Commission on Law Enforcement Standards Act.

House Bill 5498 amends Public Act 563 of 2006, which restricts the use and disclosure of certain statements made by law enforcement officers (MCL 15.391). In the definition of "law enforcement officer", the bill would refer to a person trained and *licensed or* certified under the Michigan Commission on Law Enforcement Standards Act.

House Bill 5499 amends the Legislative Sergeant at Arms Police Powers Act (MCL 4.382). The bill would specify that a sergeant at arms or assistant sergeant at arms commissioned as a police officer under the act is subject to the training and *licensure or* certification requirements under the Michigan Commission on Law Enforcement Standards Act.

In addition, an annual report on the activities of the sergeants at arms required to be given to the House Oversight and Operations Committee and Senate Government Operations Committee would instead be given to the standing committees of the House of Representatives and Senate concerned with government operations and oversight, respectively.

House Bill 5500 amends the Michigan Vehicle Code (MCL 257.42 and 257.726c). The bill revises several references to a certificate issued under the Commission on Law Enforcement Standards Act to instead refer to a *license or* certificate issued under the Michigan Commission on Law Enforcement Standards Act.

House Bill 5501 amends the Large Carnivore Act (MCL 287.1102). The bill revises a reference to a certificate issued under the Commission on Law Enforcement Standards Act to instead refer to a *license or* certificate issued under the Michigan Commission on Law Enforcement Standards Act.

## **FISCAL IMPACT:**

The bills have no fiscal implications for state or local units of government.

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