

SENATE BILL NO. 474

May 25, 2021, Introduced by Senators MOSS, BULLOCK, CHANG, GEISS, IRWIN, ANANICH, HOLLIER, BRINKS, WOJNO, HERTEL, POLEHANKI and BAYER and referred to the Committee on Judiciary and Public Safety.

A bill to amend 2017 PA 128, entitled
"Law enforcement officer separation of service record act,"
by amending section 3 (MCL 28.563).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. (1) In addition to the employment history record
2 required to be maintained under the Michigan commission on law
3 enforcement standards act, 1965 PA 203, MCL 28.601 to 28.615, by a
4 law enforcement agency for each officer it employs or for each
5 officer to whom the chief of police of a village, city, or township
6 or county sheriff has administered an oath of office, a law

1 enforcement agency shall maintain ~~a record regarding the reason or~~
2 ~~reasons for, and circumstances surrounding, a separation of service~~
3 **the following records** for each law enforcement officer for whom the
4 law enforcement agency is required to maintain an employment
5 history record under the Michigan commission on law enforcement
6 standards act, 1965 PA 203, MCL 28.601 to 28.615, who subsequently
7 separates from the law enforcement agency or from his or her
8 employment as a law enforcement officer requiring the
9 administration of an oath of office under section 9c or 9d of the
10 Michigan commission on law enforcement standards act, 1965 PA 203,
11 MCL 28.609c and 28.609d: -

12 **(a) A record regarding the reason or reasons for, and the**
13 **circumstances surrounding, a separation of services.**

14 **(b) A record related to a violation of the employing law**
15 **enforcement agency's use of force policy.**

16 (2) The law enforcement agency shall allow a separating law
17 enforcement officer to review a record prepared under subsection
18 (1) upon the request of the separating officer.

19 (3) If a separating law enforcement officer disagrees with the
20 accuracy of the contents of the record prepared under subsection
21 (1), he or she may request the correction or removal of the portion
22 of the record he or she believes is incorrect. If the law
23 enforcement agency and the separating law enforcement officer
24 cannot reach an agreement on the contents of the record prepared
25 under subsection (1), the separating law enforcement officer may
26 submit a written statement explaining the separating law
27 enforcement officer's position and the basis for his or her
28 disagreement. If a separating law enforcement officer submits a
29 written statement under this subsection, it must be kept with the

- 1 record required under subsection (1) and provided with the rest of
- 2 the contents of the record as required under section 5.