

SUBSTITUTE FOR
HOUSE BILL NO. 5106

A bill to amend 1967 PA 150, entitled
"Michigan military act,"
by amending section 151 (MCL 32.551), as amended by 2013 PA 99.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 151. **(1)** The governor is the commander-in-chief of the
2 ~~organized militia.~~ **MICHIGAN NATIONAL GUARD.** He **OR SHE** may order to
3 active state service any members of the ~~organized militia~~ **MICHIGAN**
4 **NATIONAL GUARD** in case of riot, tumult, breach of the peace, **OR**
5 resistance of process, or for service in aid of civil authority,
6 whether state or federal, or in time of actual or imminent public
7 danger, disaster, crisis, catastrophe, or other public emergency
8 within this state or to respond to acts or threats of terrorism or
9 to safeguard military or other vital resources of this state or of

1 the United States. If the governor and his **OR HER** legal successor
2 are absent ~~,—OR~~ disabled ~~,—or~~ cannot be communicated with, the
3 adjutant general, if he **OR SHE** believes the danger great and
4 imminent, may order out, in the name of the governor, such troops
5 of the ~~organized militia~~**MICHIGAN NATIONAL GUARD** as he **OR SHE**
6 believes necessary to meet the emergency.

7 (2) IN CIRCUMSTANCES OTHER THAN THOSE DESCRIBED IN SUBSECTION
8 (1), THE GOVERNOR MAY ORDER ANY MEMBER OF THE MICHIGAN NATIONAL
9 GUARD TO ACTIVE STATE SERVICE FOR DUTIES IN SUPPORT OF THE FULL-
10 TIME OPERATION OF THE MICHIGAN NATIONAL GUARD. HOWEVER, A MEMBER OF
11 THE MICHIGAN NATIONAL GUARD WHO IS CALLED TO ACTIVE SERVICE UNDER
12 THIS SUBSECTION DOES NOT HAVE ANY POLICE POWERS OR ARREST
13 AUTHORITY.

14 Enacting section 1. This amendatory act takes effect 90 days
15 after the date it is enacted into law.