CHANGE LAW ENFORCEMENT OFFICER DEFINITION FOR STATE CIVIL INFRACTIONS

House Bill 5559
Sponsor: Rep. Michael Nye
Committee: Judiciary and Civil Rights

Complete to 2-9-96

A SUMMARY OF HOUSE BILL 5559 AS INTRODUCED 2-6-96

House Bill 5559 would amend the Revised Judicature Act (MCL 600.8313 et al) to add park and recreation officers to the definition of law enforcement officer in Public Act 54 of 1995 (enrolled House Bill 4426), which specifies procedures for issuing and processing "state civil infractions" (that is, noncriminal violations of state law that are not traffic or parking violations or violations of the Marine Safety Act).

Under Public Act 54, a law enforcement officer who witnesses the commission of a state civil infraction may stop the individual and detain him or her temporarily for the purpose of issuing a citation. The act allows an officer to issue a citation if personal investigation gives the officer reasonable cause to believe that the person was responsible for a state civil infraction.

Currently, the definition of "law enforcement officer" includes: a sheriff or deputy sheriff; an officer of the police department of a city, village, or township, or of the Michigan state police, or the marshal of a city, village, or township; a conservation officer; a constable of a political subdivision, if authorized by the governing body of the political subdivision; a state employed security employee; a motor carrier officer; and under certain circumstances, a public safety officer employed by a university.

The bill would add to this definition park and recreation officers who are commissioned under the section of Natural Resources and Environmental Protection Act which concerns the enforcement of laws for the protection of wild birds, wild animals and fish.