
Senate Fiscal Agency
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Senate Bill 1184 (Substitute S-2 as reported)
Sponsor: Senator Don Koivisto
Committee: Local, Urban and State Affairs

CONTENT

The bill would amend the Code of Criminal Procedure to provide that a law enforcement officer of an adjacent state (Indiana, Ohio, Minnesota, or Wisconsin) would have the same authority and immunity as a law enforcement officer of the State, if the officer were authorized to arrest a person, with or without a warrant, for a violation of a penal statute or law in the adjacent state; if the officer were on duty as a law enforcement officer in the adjacent state; if the law enforcement officer notified a law enforcement officer or agency in Michigan that he or she was in this State; and if one or more of the following applied:

- The law enforcement officer was engaged in pursuing, arresting, or attempting to arrest an individual for a violation of a law in the adjacent state.
- The officer was in this State at the request of a law enforcement officer of Michigan or of a county, city, village, township of this State.
- The officer was responding to an emergency.

All of the immunities from liability and exemptions from laws, ordinances, and regulations that law enforcement officers of this State and an adjacent state have in their own jurisdictions would be effective in the jurisdiction in which they were exercising their authority under the bill or by agreement, unless otherwise prohibited by law. All of the immunities granted to law enforcement officers of an adjacent state by its law or under Federal law would be granted to law enforcement officers of this State when exercising their authority under an adjacent's state's provision of law or by agreement, unless otherwise prohibited by law.

("Emergency" would mean a sudden or unexpected circumstance that required immediate action to protect the health, safety, welfare, or property of an individual from actual or threatened harm or from an unlawful act. "Law enforcement officer of an adjacent state" would mean a law enforcement officer of an adjacent state or of a county, city, village, township, or other political subdivision of an adjacent state. "Law enforcement officer of this state" would mean a law enforcement officer of this State or of a county, city, village, township, or other political subdivision of this State.)

Proposed MCL 764.2b

Legislative Analyst: N. Nagata

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 5-19-00

Fiscal Analyst: B. Baker