



**House  
Legislative  
Analysis  
Section**

House Office Building, 9 South  
Lansing, Michigan 48909  
Phone: 517/373-6466

## DEFINITIONS OF PEACE OFFICERS

### House Bill 6186 (Substitute H-1) First Analysis (12-5-02)

**Sponsor: Rep. Mary Ann Middaugh**  
**Committee: Civil Law and the Judiciary**

#### ***THE APPARENT PROBLEM:***

House Bill 6337, which would amend the handgun licensure act to revise provisions regarding concealed weapons and pistols, has recently passed the House. Though the bill references auxiliary police officers, a definition of this term is not included in the act. Auxiliary, or reserve, officers are used by local police departments to supplement their forces. They are often citizen volunteers, or they may be paid a minimal amount, but they generally are not full-time employees of police departments. (According to the Department of State Police, there is no statewide training standard for reserve officers, though many local police agencies provide training for their reserves.) Further, a package of bills regarding concealed weapons exemptions for reserve and part-time police officers has also passed the House (House Bills 6108-6111 and House Bill 6113). Several of the bills in that package, which would also amend the handgun licensure act, also referenced retired and reserve (or auxiliary) officers, but failed to define the terms. It has been suggested that definitions for these terms be added to the handgun licensing act.

#### ***THE CONTENT OF THE BILL:***

The bill would amend Public Act 372 of 1927, the handgun licensure act, to add definitions for “peace officer”, “retired police officer” or “retired law enforcement officer”, and “reserve peace officer”, “auxiliary officer”, or “reserve officer”.

Under the bill, a “peace officer” would be defined to mean an individual who is employed as a law enforcement officer (as defined under the Commission on Law Enforcement Standards Act, MCL 28.602) by this state or another state, a political subdivision of this state or another state, or by the United States, and who is required to carry a firearm in the course of his or her duties.

The bill would define “retired peace officer” or “retired law enforcement officer” to mean an individual who was a certified police officer or certified law enforcement officer as those terms are

defined in the Commission on Law Enforcement Standards Act and who retired in good standing from his or her employment as a police officer or law enforcement officer.

Furthermore, the bill would define “reserve peace officer” or “auxiliary officer or reserve officer” to mean an individual who is authorized on a voluntary or irregular basis by a police agency of the state or a political subdivision to act as a law enforcement officer, who is responsible for preserving the peace, the prevention and detection of crime, and the enforcement of the general criminal laws of the state, and who is otherwise eligible to possess a firearm under the act.

MCL 28.421

#### ***FISCAL IMPLICATIONS:***

Fiscal information is not available.

#### ***ARGUMENTS:***

##### ***For:***

The bill would place several definitions pertaining to peace officers in the act that regulates handguns. This should provide clarity, especially in applying provisions pertaining to exemptions from the requirements for a concealed weapons permit.

#### ***POSITIONS:***

There are no positions on the bill.

Analyst: S. Stutzky

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