

# Legislative Analysis

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## CONTINUED COLES CERTIFICATON FOR OFFICERS ON MILITARY ACTIVE DUTY

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**House Bill 4335 (Substitute H-2)**  
**Sponsor: Rep. Gary Newell**  
**Committee: Judiciary**

**Complete to 9-16-05**

### A SUMMARY OF HOUSE BILL 4335 AS REPORTED FROM HOUSE COMMITTEE

The bill would amend Section 9 of the Commission on Law Enforcement Standards Act to specify that a commissioned-certified law enforcement officer who is a member of any reserve component of the United States Armed Forces and who is called to active duty would not be considered to have discontinued his or her employment as a commission-certified law enforcement officer. In addition, the officer's certification could not become void during the term of active military service.

However, a certification could be revoked if the officer committed an offense during the period of active duty that resulted in a felony conviction.

The bill would not apply to 1) a law enforcement officer who volunteered for a term of active military service or voluntarily extended a term of service; or 2) an officer dishonorably discharged from a term of active service.

[Note: "Reserve Components of the United States Armed Forces" is defined in the Military Family Relief Fund Act of 2004 as the Army National Guard of the United States; the Army, Naval, Marine Corps, Air Force, and Coast Guard reserves; and the Air National Guard of the United States.]

MCL 28.609

### FISCAL IMPACT:

The bill would have an indeterminate fiscal impact on state and local government.

### POSITIONS:

The Michigan State Police indicated support for the bill. (9-14-05)

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