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Senate Bill 475 (as introduced 5-25-21)
Sponsor: Senator Ken Horn
Committee: Judiciary and Public Safety

Date Completed: 5-26-21

CONTENT

The bill would amend the Michigan Commission on Law Enforcement Standards Act to allow the Michigan Commission on Law Enforcement Standards (MCOLES) to revoke the license of certain law enforcement officers if it had determined that the individual used excessive force that resulted in the death or serious bodily harm of another individual in his or her duty as a law enforcement officer, and to prohibit a licensed revoked under the bill from being reissued.

Sections 9, 9a, 9b, 9c, and 9d of the Act govern the licensure of the following categories of law enforcement officers, respectively: law enforcement officers except individuals to whom Sections 9a through 9d apply, individuals elected or appointed to the office of sheriff in the State, Michigan tribal law enforcement officers authorized to enforce State law, fire arson investigators from fire departments within local units of government, and private college security officers. Employment of each category of law enforcement officer is subject to the licensing requirements and procedures of its respective section and Section 9e. (Section 9e requires a law enforcement officer licensed under Section 9, 9b, 9c, or 9d to complete active violence training).

The Commission must revoke a license granted under Sections 9, 9a, 9b, 9c, or 9d under certain prescribed circumstances and must promulgate rules governing those revocations. Under the bill, MCOLES also would have to revoke a license granted under Sections 9, 9a, 9b, 9c, or 9d if it had determined that the individual used excessive force that resulted in the death or serious bodily harm of another individual in his or her duty as a law enforcement officer. A licensed revoked under this provision could not be reissued.

MCL 28.609-28.609d

Legislative Analyst: Stephen Jackson

FISCAL IMPACT

The bill would have no fiscal impact on MCOLES or State or local law enforcement.

Fiscal Analyst: Bruce Baker

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