

HOUSE BILL No. 5292

October 24, 1991, Introduced by Rep. Perry Bullard and referred to the Committee on Judiciary.

A bill to regulate the organization and operation of controlled substance concept teams; to prohibit the use of undercover police officers under certain circumstances; to require certain reports; and to provide for the duties and responsibilities of certain state and local officials and agencies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "controlled substance concept team act".

3 Sec. 2. (1) Two or more police agencies may, pursuant to
4 this act, organize themselves into a controlled substance concept
5 team for the purpose of enforcing article 7 of the public health
6 code, Act No. 368 of the Public Acts of 1978, being sections
7 333.7401 to 333.7545 of the Michigan Compiled Laws, within the
8 jurisdiction of 1 or more of those police agencies.

1 (2) A police agency shall not use an undercover police
2 officer to enforce article 7 of Act No. 368 of the Public Acts of
3 1978, unless that police agency is a member of a controlled sub-
4 stance concept team organized pursuant to subsection (1).

5 (3) An agreement to organize a controlled substance concept
6 team pursuant to subsection (1) shall be in writing and shall do
7 all of the following:

8 (a) List each police agency that is a member of the con-
9 trolled substance concept team.

10 (b) List the source and dollar value of each contribution
11 made by any person, including, but not limited to, each police
12 agency that is a member of the controlled substance concept team,
13 to fund, supply, or operate the controlled substance concept
14 team.

15 (c) List the administrative and operational responsibilities
16 of each police agency that is a member of the controlled sub-
17 stance concept team.

18 Sec. 3. (1) A controlled substance concept team organized
19 pursuant to section 2 shall have a board of directors consisting
20 of 1 member of each of the police agencies that is a member of
21 the controlled substance concept team.

22 (2) The chief law enforcement officer of each police agency
23 that is a member of the controlled substance concept team shall
24 appoint the member of that police agency who shall serve on the
25 board of directors of the controlled substance concept team.

1 (3) Each member of the board of directors shall serve at the
2 pleasure of the chief law enforcement officer of the police
3 agency that appointed him or her to the board of directors.

4 (4) The board of directors shall elect 1 member of the board
5 of directors to serve as chair of the board of directors.

6 (5) The board of directors shall meet at the call of the
7 chair of the board of directors, but not less often than once
8 annually.

9 Sec. 4. The board of directors shall do all of the
10 following:

11 (a) Prepare the budget for the controlled substance concept
12 team.

13 (b) Provide, on or before December 31 of each year, to the
14 secretary of the senate of this state and to the clerk of the
15 house of representatives of this state, an annual report of all
16 income and expenditures attributable to the controlled substance
17 concept team.

18 (c) Establish standards of training for members of the con-
19 trolled substance concept team.

20 (d) Establish operation procedures for the controlled sub-
21 stance concept team.

22 Sec. 5. The director of the department of state police
23 shall appoint a member of the department of state police who
24 holds the rank of lieutenant or above to serve as the chief exec-
25 utive officer of the controlled substance concept team. The
26 executive officer shall supervise the day-to-day operations of
27 the controlled substance concept team pursuant to the standards

1 set forth by the controlled substance concept team board of
2 directors.

3 Sec. 6. This act shall take effect January 1, 1993.