32.551 Governor as commander-in-chief of Michigan National Guard; order to active state service; order by adjutant general; conditions; order by governor under other circumstances.

Sec. 151. (1) The governor is the commander-in-chief of the Michigan National Guard. He or she may order to active state service any members of the Michigan National Guard in case of riot, tumult, breach of the peace, or resistance of process, or for service in aid of civil authority, whether state or federal, or in time of actual or imminent public danger, disaster, crisis, catastrophe, or other public emergency within this state or to respond to acts or threats of terrorism or to safeguard military or other vital resources of this state or of the United States. If the governor and his or her legal successor are absent or disabled or cannot be communicated with, the adjutant general, if he or she believes the danger great and imminent, may order out, in the name of the governor, such troops of the Michigan National Guard as he or she believes necessary to meet the emergency.

(2) In circumstances other than those described in subsection (1), the governor may order any member of the Michigan National Guard to active state service for duties in support of the full-time operation of the Michigan National Guard. However, a member of the Michigan National Guard who is called to active service under this subsection does not have any police powers or arrest authority.


32.555 Unorganized militia; power of the governor.

Sec. 155. The governor may order into the defense force any members of the unorganized militia in case of riot, tumult, breach of the peace, resistance of process, or for service in aid of civil authority, whether state or federal, or in time of actual or imminent public danger, disaster, crisis, catastrophe or other public emergency within this state.


32.559 Mutual military assistance agreement with other states or reciprocal agreements for emergency assistance to other states.

Sec. 159. (1) The governor may enter into an agreement with the governors of 1 or more other states authorizing the military forces of this state, in time of invasion, rebellion, public disaster, or catastrophe, or to assist a state or local law enforcement agency, at the request of that state or local law enforcement agency, in enforcing a law prohibiting the importation, sale, delivery, possession, or use of a controlled substance as defined in this act or a similar law of the other state, or as necessary to comply with reciprocal agreements for emergency assistance to other states under the interstate emergency management assistance compact, 2001 PA 248, MCL 3.1001 to 3.1004, or with other similar agreements, to be employed within the area of the other states for mutual assistance in the public interest.

(2) A member of the national guard from another state performing support duty to a federal, state, or local law enforcement agency in this state has the same immunity from liability and prosecution as does a member of the Michigan national guard in performing support duty to a federal, state, or local law enforcement agency.

(3) The Michigan national guard is a law enforcement agency under this act for the purpose of receiving or using property or money forfeited under section 981(e)(2) of title 18 of the United States Code, 18 USC 981, section 616 of part V of title IV of the tariff act of 1930, 19 USC 1616a, and section 511(e)(1)(A) of part E of the controlled substances act, title II of the comprehensive drug abuse prevention and control act of 1970, 21 USC 881.


32.563 State military forces; pursuit of insurrectionist, saboteur, or enemy into another state; captives, surrender and extradition.

Sec. 163. If the United States is at war or if any other emergency is declared by the president or the congress of the United States or by the governor or legislature, any organization, unit or detachment of the military forces of this state, by direction of the governor and upon order of the officer in immediate command
thereof, may continue in fresh pursuit of insurrectionists, saboteurs, enemies or enemy forces beyond the
borders of this state into another state, until they are apprehended or captured by such organization, unit or
detachment, or until the military or police forces of such other state or the forces of the United States have had
a reasonable opportunity to take up the pursuit or to apprehend or capture the persons pursued, if the other
state has given authority by law for such pursuit by the forces of this state. Except as otherwise provided by
law, a person who is apprehended or captured in another state by forces of this state shall be surrendered
without unnecessary delay to the military or police forces of the state in which he is taken or to the United
States. The surrender does not constitute a waiver by this state of its right to extradite or prosecute the person
for a crime committed in this state.


32.567 Military forces of another state; pursuit of insurrectionist, saboteur, or enemy into
this state; surrender of captives; construction of section.

Sec. 167. A military force of another state which is in fresh pursuit of insurrectionists, saboteurs, enemies
or enemy forces may continue such pursuit into this state, until the military or police forces of this state or the
forces of the United States have had a reasonable opportunity to take up the pursuit or to apprehend or capture
the persons pursued. The pursuing forces may arrest or capture such persons within this state while in fresh
pursuit. Any person who is captured or arrested by the military forces of another state, while in this state, shall
be surrendered without unnecessary delay to the military or police forces of this state to be dealt with
according to law. This section shall not be construed to make unlawful an arrest in this state otherwise lawful,
nor to repeal or prevent the application of any provision of law on the fresh pursuit of criminals.


32.571 Reorganization of military establishment; transfer of personnel.

Sec. 171. The governor may direct the adjutant general to organize, disband, arrange, transfer, convert,
alter, consolidate, or attach units of the military establishment. The transfer of personnel to and within units
shall be carried out by order of the adjutant general.


32.575 Declaration of martial law.

Sec. 175. When any part of the organized militia is employed pursuant to section 151, the governor, if in
his judgment maintenance of law and order will thereby be promoted, may by proclamation declare the
county or city in which the troops are serving or any specified portion thereof, to be under martial law or
martial rule.


32.579 Command of state military personnel; militia on active service; duties, liabilities, and
immunities; defense of civil action or criminal prosecution.

Sec. 179. (1) No civilian person, except the governor, may command personnel of the state military
establishment.

(2) If any portion of the organized militia is called into active service, special duty, active state service, or
the service of the United States to execute the laws, engage in emergency or disaster relief or other support
operations pursuant to the emergency management act, 1976 PA 390, MCL 30.401 to 30.421, or suppress or
prevent actual or threatened riot or insurrection, repel invasion, respond to acts or threats of terrorism,
safeguard military or other vital resources of this state or of the United States, or to assist in the enforcement
of a law prohibiting the importation, sale, delivery, possession, or use of a controlled substance, a
commanding officer shall use his or her own judgment in apprehending or dispersing a sniper, a rioter, a mob,
or an unlawful assembly. In situations described in this subsection, the commanding officer may apprehend a
person on a state military base, armory base, air base, or a vital resource of this state or of the United States if
the commanding officer has reasonable cause to believe the person has committed a felony or a misdemeanor
punishable by imprisonment for more than 92 days on that state military base, armory base, air base, or a vital
resource of this state or of the United States. In situations described in this subsection, the commanding
officer or an individual under his or her command may apprehend a person on a state military base, armory
base, air base, or a vital resource of this state or of the United States if the person commits a crime in the
presence of the commanding officer or an individual under his or her command on that state military base,
armory base, air base, or a vital resource of this state or of the United States. That commanding officer shall
determine the amount and kind of force to be used in preserving the peace and carrying out the orders of the
governor. Except as provided in subsection (3), that commanding officer's honest and reasonable judgment
under the circumstances then existing, in the exercise of his or her duty, is full protection, civilly and
criminally, for an act done in the line of duty, and a member of the organized militia in active service, special
duty, active state service, or the service of the United States is not liable civilly or criminally for an act
committed by him or her in the performance of his or her duty.

(3) A member of the organized militia in active service, special duty, active state service, or the service of
the United States has the immunity of a peace officer in this state if 1 or more of the following apply:
(a) The member is acting in aid of civil authorities and acting in the line of duty.
(b) The member is assisting in the enforcement of a law prohibiting the importation, sale, delivery,
possession, or use of a controlled substance and acting in the line of duty.
(c) The member has been ordered by the governor to respond to acts or threats of terrorism or to safeguard
military or other vital resources of this state or of the United States and is acting in the line of duty.

(4) The attorney general of this state shall defend a civil action or criminal prosecution brought in a state or
federal court, against a member of the organized militia or his or her estate, arising from an act or omission
alleged to have been committed while in active service, special duty, active state service, or the service of the
United States.


32.581 Officers and warrant officers; appointment, promotion.

Sec. 181. The authority to appoint and promote officers and warrant officers of the organized militia is
vested in the governor.


32.582 Governor; awards for services rendered to military establishment.

Sec. 182. The governor as commander in chief, may prescribe the award of medals and other suitable
means of public recognition for distinguished service, longevity, acts of valor or meritorious achievement.
The awards may be made to members of the organized militia of this state or to other individuals, not
members of the organized militia, who have rendered appropriate service to the military establishment. The
adjutant general shall develop and publish rules to carry out this provision.