

# Legislative Analysis

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## STATE POLICE: DISMISSAL PROCEDURES

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### Senate Bill 163

**Sponsor: Sen. James Barcia**

**House Committee: Judiciary**

**Senate Committee: Judiciary**

**Complete to 8-17-09**

### A SUMMARY OF SENATE BILL 163 AS PASSED BY THE SENATE 4-29-09

The bill would revise and update the dismissal procedure for civilian employees of the Department of State Police and delete a provision allowing the director of the department to set a maximum age for officers.

Currently, the enabling statute for the Department of State Police (DSP) requires the commissioner to appoint and employ all members of the department as officers and civilian employees. Officers cannot be dismissed until they receive a due hearing on their removal; an exception is made when insufficient funds require a reduction in expenditures, in which case, the officers who are junior in point of standing must be dismissed. Civilian employees, however, may be dismissed at the will of the commissioner.

Senate Bill 163 would amend Public Act 59 of 1935 (MCL 28.4) to update the above provisions and make numerous other changes of an editorial nature. For instance, the bill would replace the term "commissioner" with "director." More significantly, the bill would specify that a civilian employee could not be dismissed without a due hearing on the removal.

Further, the statute allows the director to set, from time to time, the maximum age limit for officers. The bill would delete that provision. Twenty-one years of age would remain as the minimum age for an officer to be appointed by the director.

### FISCAL IMPACT:

The bill would have no fiscal impact on state or local units of government.

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