

Legislative Analysis



RESTRICT ACTIVITIES OF STATE & LOCAL AGENCIES; EMPLOYEES; NATIONAL GUARD

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House Bill 5768 (Substitute H-1)

Sponsor: Rep. Tom McMillin

1st Committee: Government Operations

2nd Committee: Oversight, Reform, and Ethics

Complete to 12-2-12

A SUMMARY OF HOUSE BILL 5768 (H-1) AS REPORTED FROM COMMITTEE

House Bill 5768 (H-1) would create a new act to prohibit all state and local government agencies and employees, including members of the National Guard on official state duty, from aiding an agency of the armed forces of the United States in any *investigation, prosecution, or detention* of any person pursuant to the National Defense Authorization Act for fiscal year 2012, if such aid would place the agency or employee in violation of the United States Constitution, the State of Michigan Constitution, or any Michigan law.

The bill specifies that this prohibition would not apply to state or local law enforcement or the National Guard working within joint task forces, partnerships, or other similar cooperative federal law enforcement agreements, if those agreements were *not* for the purpose of investigating, prosecuting, or detaining any person pursuant to Section 1021 of the National Defense Authorization Act for fiscal year 2012.

FISCAL IMPACT:

A fiscal analysis is in process.

POSITIONS:

The Campaign for Liberty supports the bill. (11-27-12)

We The People of Liberty support the bill. (11-27-12)

The Tenth Amendment Center supports the bill. (11-27-12)

Eaton County Tea Party supports the bill. (11-27-12)

The Allegan County Commission passed a resolution (by a vote of 8-3) in support of the bill. (8-23-12)

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