

Legislative Analysis



REACTIVATION OF INACTIVE TRIBAL LAW ENFORCEMENT OFFICER LICENSES

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<http://www.house.mi.gov/hfa>

House Bill 5133 (proposed substitute H-1)

Sponsor: Rep. Timothy Beson

Committee: Government Operations

Complete to 11-3-21

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 5133 would amend the Michigan Commission on Law Enforcement Standards Act to require compliance with licensure standards and procedures regarding psychological fitness as a condition for the reactivation of an inactive tribal law enforcement officer license.

Under the act, if a person who has been employed as a tribal law enforcement officer for less than one year is no longer employed as an officer or has had his or her authority to enforce the laws of this state removed, his or her license is considered inactive for up to one year. After that time, it is considered lapsed. Similarly, a person who has been employed as an officer for less than two years has a two-year period during which his or her license is considered inactive, after which it is considered lapsed.

The act provides conditions and procedures under which a license that has been rendered inactive can be reactivated without going again through the full licensure process. Currently, a law enforcement agency or other appropriate authorizing entity may reactivate an inactive license by complying with the applicable licensing procedures required under the act, *except for* verification of such things as the individual's compliance with training requirements, licensing exam proficiency, minimum age, physical ability, education, reading and writing proficiency, or psychological fitness.

The bill would amend the above provisions to no longer exempt compliance with psychological fitness standards. That is, under the bill, compliance with licensing standards and procedures regarding psychological fitness would be required before an inactive license could be reactivated.

The bill also would describe the law enforcement agency or other entity as requesting the reactivation of the license, rather than effecting the reactivation itself.

The bill is tie-barred to HB 5132, which means that it could not take effect unless HB 5132 were also enacted. (House Bill 5132 would similarly amend the MCOLES Act to require compliance with licensure standards and procedures regarding psychological fitness as a condition for the reactivation of an inactive law enforcement license. The bill also would prohibit the requirement of an associate degree for certain individuals, such as veterans and private security guards, who are seeking admission to certain law enforcement training programs or seeking to have previous training recognized for licensure under the act.)

MCL 28.609b

FISCAL IMPACT:

House Bill 5133 would not be expected to have a significant fiscal impact on the Department of State Police or any other state or local governmental unit.

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