

Legislative Analysis



INCLUDE MCOLES-CERTIFIED OFFICER IN DEFINITION OF “PEACE OFFICER” IN MENTAL HEALTH CODE

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

Senate Bill 59 as passed by the Senate

Sponsor: Sen. John Cherry

House Committee: Health Policy

Senate Committee: Civil Rights, Judiciary, and Public Safety

Complete to 5-17-23

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

SUMMARY:

Senate Bill 59 would amend the Mental Health Code to expand the definition of *peace officer* to include an officer of a law enforcement agency who is licensed under the Michigan Commission on Law Enforcement Standards (MCOLES) Act.

The term *peace officer* currently means an officer of the Department of State Police or of a law enforcement agency of a county, township, city, or village who is responsible for preventing and detecting crime and enforcing Michigan’s criminal laws.

In sections 408, 426, 427a, and 427b of the code, which pertain to a peace officer’s taking an individual into protective custody and transporting them to a preadmission screening unit or hospital, allowable use of force when doing so, and immunity from liability when acting under the Mental Health Code, *peace officer* also includes an officer of the U.S. Secret Service with the officer’s consent and a police officer of the Veterans Administration Medical Center Reservation.

MCL 330.1100cc

FISCAL IMPACT:

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

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