

**EXPAND POSSESSION AND USE
OF EMD DEVICES**

House Bill 5074
Sponsor: Rep. Doug Spade
Committee: Criminal Justice

Complete to 10-20-03

A SUMMARY OF HOUSE BILL 5074 AS INTRODUCED 9-25-03

The Michigan Penal Code generally prohibits the selling, offering for sale, or possession of a portable device or weapon from which an electrical current, impulse, wave, or beam may be directed and that is designed to temporarily incapacitate, injure, or kill. However, the code allows for the possession and reasonable use of an electro-muscular device by peace officers, authorized employees of the Department of Corrections, probation officers, court officers, authorized bail agents, licensed private investigators, and aircraft pilots and crew members, if such persons are properly trained and performing their professional duties.

The bill would add local corrections officers to the list of authorized individuals, provided that they are authorized by the county sheriff. "Local corrections officer" would be defined to mean any person employed by a county sheriff in a local correctional facility as a corrections officer or that person's supervisor or administrator.

MCL 750.224a

House Bill 5074 (10-20-03)

Analyst: M. Wolf

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.