

HOUSE BILL NO. 4874

May 18, 2021, Introduced by Reps. Anthony, Hope, Young, Sowerby, Hood, Cavanagh, Ellison, Aiyash, Tyrone Carter, Brixie, Brabec, Bolden, O'Neal and Pohutsky and referred to the Committee on Judiciary.

A bill to prohibit the use of volunteer law enforcement officers by municipalities.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "prohibition of volunteer law enforcement act".

3 Sec. 2. As used in this act:

4 (a) "Law enforcement department" means a regularly organized
5 police department, sheriff's department, department of public
6 safety, or other similar organization that meets all of the

1 following requirements:

2 (i) Has as its primary purpose the enforcement of state or
3 local penal laws and the preservation of public order.

4 (ii) Consists wholly of paid law enforcement officers,
5 volunteer law enforcement officers, or a combination of volunteer
6 and paid law enforcement officers.

7 (iii) Is organized and maintained by a municipality.

8 (b) "Law enforcement officer" means that term as defined in
9 section 2 of the Michigan commission on law enforcement standards
10 act, 1965 PA 203, MCL 28.602.

11 (c) "Municipality" means a city, village, or township.

12 (d) "Volunteer law enforcement officer" means an individual
13 who is a member of a law enforcement department and who meets all
14 of the following requirements:

15 (i) Is not licensed under the Michigan commission on law
16 enforcement standards act, 1965 PA 203, MCL 28.601 to 28.615, as a
17 law enforcement officer.

18 (ii) Performs assigned or authorized duties for the law
19 enforcement department by his or her own free choice.

20 (iii) Serves in a position that is not clerical or secretarial
21 in nature.

22 (iv) Is registered and accepted as a volunteer by the law
23 enforcement department.

24 (v) Receives no monetary remuneration other than maintenance
25 and reimbursement for actual expenses necessarily incurred in
26 performing assigned duties.

27 Sec. 3. Beginning 1 year after the effective date of this act,
28 a municipality maintaining or operating a law enforcement
29 department shall not use a volunteer law enforcement officer.