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BILL ANALYSIS



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Senate Bill 510 (as introduced 8-26-25)
Sponsor: Senator Jeremy Moss
Committee: Civil Rights, Judiciary, and Public Safety

Date Completed: 11-4-25

CONTENT

The bill would add Section 396a to Chapter LVII (Masks and Disguises) of the Michigan Penal Code to prohibit a law enforcement officer from wearing a mask or personal disguise while interacting with a member of the public in performance of the officer's duties, except under specified circumstances. The bill would prescribe a misdemeanor penalty for violating the prohibition.

The bill would take effect 90 days after its enactment.

Specifically, Section 396a would require a law enforcement officer, while interacting with a member of the public in performance of the officer's duties, to wear an appropriate uniform. An officer could not wear a mask or personal disguise except in the following circumstances:

- To prevent the law enforcement officer from contracting airborne disease, the officer could wear a mask designed to prevent the transmission of airborne disease.
- To protect the law enforcement officer from airborne toxins during a state of emergency, the law enforcement officer could wear a mask that protected against exposure to the airborne toxins.
- The law enforcement officer could wear a mask that provided physical protection to the face.

The bill also specifies that the provisions above would not apply to a law enforcement officer engaged in an undercover assignment.

"Appropriate uniform" would mean a uniform that displayed the law enforcement officer's name or badge number. "Mask" would include a piece of nontransparent material meant to cover the face or conceal an individual's identity that would otherwise be readily apparent. The term would not include a face shield that did not conceal the wearer's face.

"Undercover assignment" would mean any investigative activity that involved the use of an assumed name or cover identity by a law enforcement officer under the jurisdiction of a Federal law enforcement agency, local law enforcement agency, or another law enforcement agency of the State.

"Law enforcement officer" would mean a law enforcement officer as that term is defined in the Michigan Commission on Law Enforcement Standards Act (see **BACKGROUND**) and a Federal law enforcement officer.

A law enforcement officer who violated the bill's prohibition would be guilty of a misdemeanor punishable by up to 90 days' imprisonment or a maximum fine of \$500.

Proposed MCL 750.396a

Legislative Analyst: Tyler VanHuyse

BACKGROUND

Under the Michigan Commission on Law Enforcement Standards Act, the term "law enforcement officer" broadly refers to an individual employed by a law enforcement agency with the authority to prevent and detect crime and to enforce State laws. The term encompasses a range of positions, including the following:

- State, Tribal, and Legislative officers.
- Specialized and local officers, such as conservation officers, township constables, marshals, park rangers, police officers, and officers appointed by certain local governments.
- University and educational officers, including public safety officers employed by community colleges, universities, and certain authorized institutions.
- Public transportation officers, such as transit and railroad police and airport security.
- Certain investigators, including Medicaid fraud investigators, highway reciprocity board officers, fire arson investigators, and prosecuting attorney's investigators.

Under the Act, certain individuals, although involved with security or enforcement, are not considered law enforcement officers under the definition, including citation issuers, Michigan Department of Agricultural and Rural Development personnel with limited peace officer authority, certain non-licensed or volunteer officers, railroad conductors, and other inspectors and agents with limited authority.

FISCAL IMPACT

The bill would likely have little fiscal impact on local or State law enforcement agencies but would require minor training and education of law enforcement agencies and individual officers as to the law enforcement officers' uniform requirements, which would likely be coordinated by the Michigan Council on Law Enforcement Standards.

The bill would have a negative and corresponding positive fiscal impact on the State and local government. A violation of the bill could result in new misdemeanor arrests and convictions, thereby increasing resource demands on law enforcement, court systems, community supervision, and jails; however, it is unknown how many people would be prosecuted under the bill. Additionally, a civil fine of not more than \$500 could be imposed. Any additional revenue from imposed fines would go to local and county law libraries.

The bill would not likely have a fiscal impact on courts or the Attorney General.

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