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BILL



ANALYSIS

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House Bill 5790 (as passed by the House)
Sponsor: Representative Gary Howell
House Committee: Health Policy
Senate Committee: Judiciary

Date Completed: 12-6-16

CONTENT

The bill would amend Public Act 462 of 2014, which allows peace officers to carry and administer opioid antagonists in certain circumstances, to include local and State corrections officers in the Act's definition of "peace officer".

The Act allows a peace officer who is trained in the proper administration of an opioid antagonist to possess and administer it to a person experiencing an opioid-related overdose. The bill would include both of the following in the definition of "peace officer":

- A local corrections officer, as that term is defined in the Local Corrections Officers Training Act (any person employed by a county sheriff in a local correctional facility as a corrections officer or that person's supervisor or administrator).
- A State correctional officer, as that term is defined in the Correctional Officers' Training Act (any person employed by the Department of Corrections in a correctional facility as a correctional officer or a corrections medical aide, or that person's immediate supervisor).

Currently, "peace officer" means a regularly employed member of a law enforcement agency who is responsible for the prevention and detection of crime and the enforcement of general criminal laws of the State; a law enforcement officer of a Michigan Indian tribal police force; the sergeant at arms or an assistant sergeant at arms of either house of the Legislature who is commissioned as a police officer; a law enforcement officer of a multicounty metropolitan district; and a police officer or public safety officer of a community college, college, or university who is authorized by its governing board to enforce State law.

The Act defines "opioid-related overdose" as a condition that results from the consumption or use of an opioid or another substance with which an opioid was combined or that a reasonable person would believe to be an opioid-related overdose that requires medical assistance. "Opioid antagonist" means naloxone hydrochloride or any other similarly acting and equally safe drug approved by the Federal Food and Drug Administration for the treatment of drug overdose.

The bill would take effect 90 days after its enactment.

MCL 28.541

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Ryan Bergan

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