

Legislative Analysis



STATEWIDE LIMITED ARREST AUTHORITY FOR SECURITY EMPLOYEES

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

Senate Bill 207 (reported from House committee w/o amendment)

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

Sponsor: Sen. Mike Green

House Committee: Judiciary

(Enacted as Public Act 5 of 2018)

Senate Committee: Judiciary

Complete to 1-9-18

BRIEF SUMMARY: Senate Bill 207 would amend the Michigan State Police act to expand the physical area where security employees may exercise limited arrest authority.

FISCAL IMPACT: Senate Bill 207 would have no fiscal impact on the state or local units of government.

THE APPARENT PROBLEM:

Currently, the Director of the Michigan State Police can authorize limited arrest powers for security personnel employed by the state to protect state-owned or state-leased property or facilities, but only in the city of Lansing and in Windsor Township of Eaton County. This poses a problem because there are state-owned or state-leased property and facilities all across Michigan, yet security personnel at those other properties and facilities do not have the arrest authority they may need for public safety.

THE CONTENT OF THE BILL:

Senate Bill 207 would remove “in the city of Lansing and in Windsor Township of Eaton County” from the description of the places where limited arrest powers may be authorized, allowing the Director to authorize those powers for those employees anywhere in the state.

The bill would also make several technical changes to update legal references.

The bill would take effect 90 days after the date of its enactment.

MCL 28.6c

HOUSE COMMITTEE ACTION:

No substitutes or amendments were introduced in the House Judiciary Committee.

ARGUMENTS:

For:

Supporters of the bill argue that the bill is only an expansion of jurisdiction that would allow security officers to have the same powers of arrest that they currently have, but at all

Michigan-owned or Michigan-leased properties in the state, rather than only in certain parts of the state. That current law does not allow security officers at all Michigan locations to have the same arresting authority can be an inconvenience or pose a public safety risk in other cities with state-owned or state-leased property, because Michigan State Police officers have to be either posted at all times at the facility or pulled from the streets to respond to any disturbance at the facility. Both options draw the officers away from where they're needed most.

Against:

Critics of the bill have concerns with extending arrest powers to individuals who may not have adequate training. Because security officers do not have the same training or experience as other police officers, giving them the same arrest powers as a police officer could result in injuries to the officers or to the people they are arresting.

POSITIONS:

A representative from the Michigan State Police testified in support of the bill. (11-7-17)

The American Civil Liberties Union (ACLU) indicated opposition to the bill. (11-7-17)

Legislative Analyst: Emily S. Smith
Fiscal Analyst: Kent Dell

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