



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 207 (as enacted)
Sponsor: Senator Mike Green
Senate Committee: Judiciary
House Committee: Judiciary

PUBLIC ACT 5 of 2018

Date Completed: 2-5-18

RATIONALE

Under the statute that governs the Michigan Department of State Police, the Department Director may authorize limited arrest powers for State-employed security personnel to protect State property, but only in the City of Lansing, and in Windsor Township, which is in Eaton County. Lansing is the location of the State Capitol Building, the Hall of Justice, House and Senate office buildings, the Romney Building (which houses the Governor's office), the Michigan Library and Historical Center, and a number of executive branch office buildings. Approximately 16 miles from Lansing, Windsor Township is the location of the State Secondary Complex, which includes various State facilities as well as the State Police Training Academy. In addition, the State of Michigan owns and leases offices and facilities in locations across the State. Since these sites also might require the protection of State security personnel, it was suggested that the Director's authority to grant limited arrest powers should not be restricted to personnel in Lansing and Windsor Township.

CONTENT

The bill amends Public Act 59 of 1935, which creates the Michigan State Police (MSP), to permit the MSP Director to authorize State-employed security personnel to exercise limited arrest powers on any State property.

Under the Act, the MSP Director may authorize limited arrest powers for security personnel employed by the State for the protection of State-owned or -leased property or facilities in the City of Lansing and in Eaton County's Windsor Township. Limited arrest authority may be exercised only when the security employee is on a tour of duty as prescribed by the Director upon State-owned or -leased property and the person is identified by a uniform as a State security employee.

The bill deletes reference to the City of Lansing and Windsor Township. Under the bill, the MSP Director may authorize State-employed security personnel to exercise limited arrest powers for the protection of State-owned or -leased property and facilities.

The bill will take effect on April 26, 2018.

MCL 28.6c

BACKGROUND

According to information on the MSP website, "The Michigan State Police, State Properties Security Officer (SPSO) is a specialized position which provides general law enforcement and security services at State owned and leased facilities in the Lansing area. These positions are not MCOLES [Michigan Commission on Law Enforcement Standards] certified; however State Properties Security Officers are empowered to make arrests on duty, when in uniform on state properties. All SPSO positions are based in the Lansing area."

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

By allowing the MSP Director to authorize limited arrest powers for security personnel at any property owned or leased by the State, rather than just in the Lansing area, the bill will enhance the Department's ability to use its own resources. For example, the MSP hosts an annual Great Lakes Homeland Security Conference at the DeVos Place in Grand Rapids. Since State Properties Security Officers could not be deployed there, the MSP has had to call upon the Grand Rapids Police Department if there was an incident that required an arrest. According to Judiciary Committee testimony, the MSP is increasingly receiving requests for security protection at meetings and facilities throughout the State. The bill in effect will give statewide jurisdiction to State Properties Security Officers, at the MSP Director's discretion, and reduce the need to rely on local police departments for assistance.

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

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

Fiscal Analyst: Bruce Baker

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.