

ALLOW ELECTRONIC CONTROL DEVICES THAT USE CONDUCTED ELECTRICAL ENERGY TECHNOLOGY

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House Bill 4843 (H-1) as reported from committee

Sponsor: Rep. Mike Mueller

Committee: Judiciary

Complete to 11-12-25

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

SUMMARY:

House Bill 4843 would amend the Michigan Penal Code to do the following:

- Modify the types of devices excepted from the general prohibition on the sale, offering for sale, or possession of a portable device or weapon from which an electrical current, impulse, wave, or beam may be directed and is designed to incapacitate temporarily, injure, or kill. (See “Background” for a discussion of these types of devices.)
- Modify the requirements for certain individuals to possess and use excepted devices.

Device types

Currently, the code allows for the possession and reasonable use of a *device that uses electro-muscular disruption technology* by a peace officer or any of the following individuals, provided that the individual has been trained in the use, effects, and risks of the device and is using the device in the course of their official duties:

- An employee of the Department of Corrections who is authorized in writing by the director of the department to possess and use the device.
- A local corrections officer authorized in writing by the county sheriff to possess and use the device.
- An individual employed by a local unit of government that utilizes a jail or lockup facility who has custody of persons detained or incarcerated in the jail or lockup facility and who is authorized in writing by the chief of police, director of public safety, or sheriff to possess and use the device.
- A probation officer.
- A court officer.
- A bail agent authorized under section 167b of the code.¹
- A licensed private investigator.
- An aircraft pilot or aircraft crew member.
- An individual employed as a *private security police* officer.²

*Device that uses electro-muscular disruption technology*³ means a device to which both of the following apply:

- The device is capable of creating an electro-muscular disruption and is used or intended to be used as a defensive device capable of temporarily incapacitating or immobilizing a person by the direction or emission of conducted energy.

¹ <https://www.legislature.mi.gov/Laws/MCL?objectName=mcl-750-167b>

² *Private security police* means that part of a business organization or educational institution primarily responsible for the protection of property on the premises of the business organization, but does *not* include a private college security force ([MCL 338.1052](#)).

³ The bill would change this term to *electronic control device that uses electro-muscular disruption technology*.

- The device is capable of creating an electro-muscular disruption, is used or intended to be used as a defensive device capable of temporarily incapacitating, immobilizing, or causing lawful compliance of an individual by the direction or emission of conducted energy, and contains an identification and tracking system that, when the device is initially used, dispenses coded material traceable to the purchaser through records kept by the manufacturer, and the manufacturer of the device has a policy of providing that identification and tracking information to a police agency upon written request. (This provision does *not* apply to a launchable device that is used only by law enforcement agencies.)

The bill would newly except ***electronic control devices that use conducted electrical energy technology*** from the above prohibition and define them as a device to which both of the following apply:

- The device delivers an electrical impulse to stimulate nerve endings on the surface of human skin to another individual.
- The device is equipped with a downloadable memory storage device capable of recording the date, time, and duration of each electrical impulse that was delivered from the device using conducted electrical energy technology.

The bill also would newly require an aircraft pilot, an aircraft crew member, and an individual employed as a private security police officer to be authorized in writing by the individual's employer to possess and use the excepted device. These individuals also could only use the device in the course of employment and the performance of their duties. In addition, individuals who possess a valid concealed pistol license (CPL) issued under section 5b of the firearm licensure act,⁴ are employed as a *private security guard*,⁵ and are authorized in writing by their employer would be newly allowed to possess and use an excepted device in the course of employment and the performance of their duties, provided that the device is owned by the private security guard's employer and is issued to them as part of their equipment.

Circumstances of device use

Currently, the code also prohibits the use of excepted devices against another person *except* under circumstances that would justify the individual's lawful use of physical force.

The bill would preserve the general restriction above, as well as add the following nonexhaustive list of circumstances under which the use of an excepted device is justified:

- To de-escalate a situation.
- To temporarily incapacitate the individual receiving the electrical impulse.
- To deter an illegal assault or an assault and battery from being committed or continued by the individual receiving the electrical impulse.
- To overcome illegal resistance being employed by the individual receiving the electrical impulse.
- For any other objectively reasonable purpose.

MCL 750.224a

⁴ <https://legislature.mi.gov/Laws/MCL?objectName=mcl-28-425b>

⁵ *Private security guard* means an individual or an employee of an employer who offers, for hire, to provide protection of property on the premises of another, including an employee of a private college security force ([MCL 338.1052](#)).

BACKGROUND:

Devices that make use of electric current to incapacitate another individual are commonly referred to interchangeably as *stun guns* or *Tasers*,⁶ despite these being distinct categories of self-defense devices.⁷ While a stun gun typically requires at least several seconds of continuous physical contact (for some models, direct contact with the skin) in order to disrupt muscle control and disable a target, Tasers can be used at a distance of up to 15 feet (for civilian models) or 30 feet (for law enforcement models) and fire two barbed darts connected by wires that puncture the skin and deliver a high-voltage, low-current electrical pulse to disrupt the signals between the brain and the muscles. Tasers also release tags that identify the unit when fired and can be used as stun guns after the projectiles are released.

Devices that employ conducted electrical energy technology are more similar to stun guns than Tasers insofar as they require direct physical contact with a target and deliver low-current electrical pulses directly to the surface of the skin without penetration. However, they differ from stun guns in that they are generally designed to distract or control (rather than incapacitate) a target and are not available to the public. CD3® (“conductive distraction and de-escalation device”) technology is most commonly associated with the G.L.O.V.E. (Generated Low Output Voltage Emitter) device created by Compliant Technologies,⁸ but is also used in vests or belts worn by individuals in the custody of law enforcement officers.

FISCAL IMPACT:

House Bill 4843 would have an indeterminate fiscal impact on the state and on local units of government. Under the bill, a person who unlawfully sells, offers for sale, or possesses a device that uses conducted electrical energy technology would be guilty of a felony punishable by imprisonment, a fine, or both. Also under the bill, a person who unlawfully uses a device that uses conducted electrical energy technology against another individual would be guilty of a misdemeanor punishable by imprisonment, a fine, or both. Felony convictions would result in increased costs related to state prisons and state probation supervision. In fiscal year 2024, the average cost of prison incarceration in a state facility was roughly \$46,200 per prisoner, a figure that includes various fixed administrative and operational costs. State costs for parole and felony probation supervision averaged about \$5,500 per supervised offender in the same year. Those costs are financed with state general fund/general purpose revenue. Misdemeanor convictions would increase costs related to county jails or local misdemeanor probation supervision, or both. Costs of local incarceration in county jails and local misdemeanor probation supervision, and how those costs are financed, vary by jurisdiction. Any increase in penal fine revenue would increase funding for public and county law libraries, which are the constitutionally designated recipients of those revenues. The fiscal impact on local court systems would depend on how provisions of the bill affected court caseloads and related administrative costs. Because there is no practical way to determine the number of violations that would occur, an estimate of the amount of costs related to state prisons and/or county jails, penal fine revenue collections, or costs to local courts cannot be made.

⁶ *Taser* is the genericized form of the TASER® trademark used for devices that are manufactured solely by Axon Enterprise (formerly Taser International).

⁷ A more comprehensive comparison of stun guns and Tasers is available here:

<https://www.legislature.mi.gov/documents/2021-2022/billanalysis/House/pdf/2021-HLA-4029-78C59C2B.pdf>

⁸ <https://www.complianttechnologies.net/the-glove>

POSITIONS:

Representatives of the following entities testified in support of the bill (10-22-25):

- Compliant Technologies
- Deputy Sheriff's Association
- Michigan Court Officers

The following entities indicated support for the bill (10-22-25):

- Michigan Association of Chiefs of Police
- Michigan Department of Corrections
- Michigan Sheriffs' Association

The ACLU of Michigan indicated opposition to the bill. (10-22-25)

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■ 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.