

Legislative Analysis



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House Bill 5132 as introduced
Sponsor: Rep. Timothy Beson
Committee: Government Operations
Complete to 9-29-21

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

SUMMARY:

House Bill 5132 would amend the Michigan Commission on Law Enforcement Standards (MCOLES) Act to prohibit requiring an education level that is greater than a general education development certificate (GED) for an individual seeking admission to certain law enforcement training programs or seeking to have previous training recognized for licensure under the act.

The act requires an individual to meet certain minimum levels of training, education, physical ability, psychological and character fitness, reading and writing proficiency, and other qualities before he or she can be licensed as a law enforcement officer in Michigan and provides for MCOLES to publish rules governing training and licensing standards and procedures.¹

The bill would prohibit MCOLES from requiring an education level that is greater than a GED (or its equivalent) for an individual seeking admission to a *preservice college basic law enforcement training academy* or a *regional basic law enforcement training academy* or the *recognition of prior basic law enforcement training and experience program* for purposes of licensure under the act as a law enforcement officer,² Michigan tribal law enforcement officer, fire arson investigator, or private college security officer. The bill would not apply to individuals elected or appointed to the office of sheriff.

The bill also would not apply to individuals seeking admission to an *agency basic law enforcement training academy*. R 28.14301 of the Michigan Administrative Code describes the three kinds of law enforcement training academies under the MCOLES Act as follows:

- An *agency basic law enforcement training academy* is a law enforcement agency that is approved by MCOLES to provide a course of study for qualified recruits employed by that law enforcement agency.
- A *preservice college basic law enforcement training academy* is an MCOLES-approved training and education program offered by an accredited community college, college, or university that incorporates the MCOLES-mandated curriculum in the academic course of study.
- A *regional basic law enforcement training academy* is a city, county, township, village, corporation, college, community college, university, or state agency that is approved by MCOLES to offer a basic law enforcement training program to preservice and employed recruits.

Training requirements for licensure under the act also may be met through the *recognition of prior basic law enforcement training and experience program* for granting a waiver from

¹ See https://www.michigan.gov/documents/mcoles/Standards_List-2-14-2020_681784_7.pdf

² *Law enforcement officer* is defined here: <https://www.legislature.mi.gov/documents/mcl/pdf/mcl-28-602.pdf>

mandatory basic police training (i.e., standard training academy instruction) requirements. This program typically applies to individuals who were previously a police officer in Michigan or another state.³

MCL 28.609 et seq.

FISCAL IMPACT:

House Bill 5132 would have an indeterminate, though likely modest, fiscal impact on the Michigan Commission on Law Enforcement Standards, housed within the Department of State Police. The bill would likely require revisions to MCOLES's materials and IT systems, though the costs of such changes are unknown. The bill would not have a significant direct fiscal impact on any other law enforcement agencies.

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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.

³ See <https://www.michigan.gov/mcoles/0,4607,7-229--148071--,00.html>