

# HOUSE BILL NO. 5723

February 02, 2022, Introduced by Reps. Coleman, Thanedar, Tyrone Carter, LaFave, Liberati, Aiyash, Pohutsky, Young, Steckloff, Breen, Steven Johnson, Eisen, Outman, Carra, Brenda Carter, Garza, Rabhi and Jones and referred to the Committee on Government Operations.

A bill to amend 1949 PA 300, entitled  
"Michigan vehicle code,"  
by amending section 750 (MCL 257.750), as amended by 2010 PA 226.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1           Sec. 750. (1) A police officer shall not be required to **make**  
2 **or** issue a predetermined or specified number of **arrests or**  
3 citations for violations of this act or ~~of a~~ local ~~ordinances~~  
4 **ordinance that** substantially ~~corresponding~~ **corresponds** to  
5 ~~provisions~~ **a provision** of this act. ~~including Citations for a~~

1 **violation of this act includes** parking or standing violations. A  
2 police officer's performance evaluation system ~~shall~~**must** not  
3 require a predetermined or specified number of citations to be  
4 issued **or arrests to be made**. Section 901 does not apply to a  
5 violation of this subsection.

6 (2) A police officer shall not be entitled to any fees for  
7 **making an arrest or** issuing a citation **for a violation of this act**  
8 **or a local ordinance that substantially corresponds to a provision**  
9 **of this act**. A police officer, judge, district court magistrate, or  
10 other person employed by the state or by a local governmental unit  
11 who violates section 749 or this subsection is guilty of misconduct  
12 in office and subject to removal from office.

13 (3) A law enforcement agency shall not use the number of  
14 **arrests or citations issued by a police officer for a violation of**  
15 **this act or a local ordinance that substantially corresponds to a**  
16 **provision of this act as a criterion for the promotion, demotion,**  
17 **dismissal, or discipline of a police officer, or for the earning of**  
18 **any benefit provided to the police officer by the law enforcement**  
19 **agency.**

20 (4) Nothing in this section prohibits a law enforcement agency  
21 from doing any of the following:

22 (a) Compiling data from arrests or citations issued by a  
23 police officer pursuant to this act.

24 (b) Using the data compiled under subdivision (a) to determine  
25 whether a police officer did any of the following while making  
26 arrests or issuing citations for a violation of this act or a local  
27 ordinance that substantially corresponds to this act:

28 (i) Engaged in discriminatory practices.

29 (ii) Deviated from his or her legal obligation in the

1 performance of his or her duty as a police officer.

2 (5) As used in this section, "law enforcement agency" means an  
3 entity that is established and maintained in accordance with the  
4 laws of this state and is authorized by the laws of this state to  
5 appoint or employ police officers. Law enforcement agency includes  
6 a police department of a city, village, or township, a sheriff's  
7 department, the department of state police, or any other  
8 governmental law enforcement agency in this state.