

Act No. 180
Public Acts of 2009
Approved by the Governor
December 15, 2009
Filed with the Secretary of State
December 15, 2009
EFFECTIVE DATE: December 15, 2009

**STATE OF MICHIGAN
95TH LEGISLATURE
REGULAR SESSION OF 2009**

Introduced by Senator Barcia

ENROLLED SENATE BILL No. 163

AN ACT to amend 1935 PA 59, entitled "An act to provide for the public safety; to create the Michigan state police, and provide for the organization thereof; to transfer thereto the offices, duties and powers of the state fire marshal, the state oil inspector, the department of the Michigan state police as heretofore organized, and the department of public safety; to create the office of commissioner of the Michigan state police; to provide for an acting commissioner and for the appointment of the officers and members of said department; to prescribe their powers, duties, and immunities; to provide the manner of fixing their compensation; to provide for their removal from office; and to repeal Act No. 26 of the Public Acts of 1919, being sections 556 to 562, inclusive, of the Compiled Laws of 1929, and Act No. 123 of the Public Acts of 1921, as amended, being sections 545 to 555, inclusive, of the Compiled Laws of 1929," by amending section 4 (MCL 28.4).

The People of the State of Michigan enact:

Sec. 4. (1) The department shall consist of uniformed personnel and detective personnel, organized in divisions, bureaus, or branches as established by law or by the director in his or her discretion.

(2) The director shall establish a highway patrol consisting of not fewer than 100 members.

(3) The director shall appoint and employ all members of the department, who shall be classified as officers and civilian employees.

(4) All persons appointed as officers shall be at the time of their appointment not less than 21 years of age, shall be of sound mind and body, shall be of good moral character, shall be citizens of the United States and residents of the state of Michigan, and shall possess such educational qualifications as the director may from time to time prescribe. All persons appointed as officers shall execute the constitutional oath of office before entering upon their duties.

(5) An officer shall not be dismissed until a due hearing on his or her removal is held as provided in this act, unless a reduction in expenditures is required due to insufficient funds, in which case the officer or officers junior in point of service shall be dismissed. A civilian employee may not be dismissed without a due hearing on his or her removal, unless a reduction in expenditures is required due to insufficient funds.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Richard J. Brown

Clerk of the House of Representatives

Approved

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Governor