

HOUSE BILL No. 5012

October 21, 2015, Introduced by Reps. Kosowski, Iden and Sheppard and referred to the Committee on Judiciary.

A bill 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,"

(MCL 28.1 to 28.16) by adding section 17.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 17. (1) THE DEPARTMENT SHALL MAINTAIN A LIST OF QUALIFIED
2 VOLUNTEERS TO PATROL SCHOOL PREMISES AS PROVIDED IN SECTION 1241 OF
3 THE REVISED SCHOOL CODE, 1976 PA 451, MCL 380.1241, AND SHALL MAKE
4 THE LIST AVAILABLE TO THE BOARD OF A SCHOOL DISTRICT OR

1 INTERMEDIATE SCHOOL DISTRICT, BOARD OF DIRECTORS OF A PUBLIC SCHOOL
2 ACADEMY, OR GOVERNING BODY OF A STATE-APPROVED NONPUBLIC SCHOOL.

3 (2) THE DEPARTMENT SHALL ENSURE THAT EACH INDIVIDUAL APPEARING
4 ON THE LIST IN SUBSECTION (1) IS A QUALIFIED VOLUNTEER. IN ORDER TO
5 BE LISTED UNDER SUBSECTION (1), AN INDIVIDUAL SHALL BE A CURRENTLY
6 OR FORMERLY CERTIFIED LAW ENFORCEMENT OFFICER UNDER SECTION 9 OF
7 THE COMMISSION ON LAW ENFORCEMENT STANDARDS ACT, 1965 PA 203, MCL
8 28.609. IN ADDITION, AN INDIVIDUAL WHO IS A FORMERLY CERTIFIED LAW
9 ENFORCEMENT OFFICER SHALL DO ALL OF THE FOLLOWING:

10 (A) SUBMIT TO A CRIMINAL HISTORY CHECK IN THE SAME MANNER AS A
11 SCHOOL EMPLOYEE UNDER SECTION 1230 OF THE REVISED SCHOOL CODE, 1976
12 PA 451, MCL 380.1230, AND AGAIN SUBMIT TO A CRIMINAL HISTORY CHECK
13 EVERY 5 YEARS AFTER HIS OR HER INCLUSION ON THE LIST OF QUALIFIED
14 VOLUNTEERS.

15 (B) PAY FOR THE COSTS OF THE CRIMINAL HISTORY CHECK.

16 (C) BE CERTIFIED TO CARRY A CONCEALED FIREARM UNDER 18 USC
17 926C AND THE MICHIGAN RETIRED LAW ENFORCEMENT OFFICER'S FIREARM
18 CARRY ACT, 2008 PA 537, MCL 28.511 TO 28.527.

19 (3) THE DEPARTMENT SHALL EXCLUDE AN INDIVIDUAL FROM THE LIST
20 OF QUALIFIED VOLUNTEERS MEETING THE REQUIREMENTS OF SUBSECTION (2)
21 WHO WOULD OTHERWISE BE EXCLUDED FROM EMPLOYMENT UNDER THE REVISED
22 SCHOOL CODE, 1976 PA 451, MCL 380.1 TO 380.1852.

23 (4) THE DEPARTMENT SHALL PROVIDE A PAPER OR ELECTRONIC COPY OF
24 THE LIST OF QUALIFIED VOLUNTEERS MAINTAINED UNDER SUBSECTION (1)
25 UPON THE REQUEST OF A BOARD OF A SCHOOL DISTRICT OR INTERMEDIATE
26 SCHOOL DISTRICT, BOARD OF DIRECTORS OF A PUBLIC SCHOOL ACADEMY, OR
27 GOVERNING BODY OF A STATE-APPROVED NONPUBLIC SCHOOL.

1 Enacting section 1. This amendatory act takes effect 90 days
2 after the date it is enacted into law.

3 Enacting section 2. This amendatory act does not take effect
4 unless all of the following bills of the 98th Legislature are
5 enacted into law:

6 (a) Senate Bill No. _____ or House Bill No. 5010 (request no.
7 03381'15).

8 (b) Senate Bill No. _____ or House Bill No. 5011 (request no.
9 03467'15 *).