

# HOUSE BILL NO. 5017

June 15, 2021, Introduced by Reps. Scott, Yancey, Cavanagh, Aiyash, Hood, Puri, Brabec, Stone, O'Neal, Hertel, Rogers, Sowerby, Neeley, Brenda Carter, Thanedar, Weiss, Young, Whitsett, Brixie, Rabhi, Cynthia Johnson, Kuppa and Jones and referred to the Committee on Government Operations.

A bill to amend 1965 PA 203, entitled  
"Michigan commission on law enforcement standards act,"  
by amending sections 9, 9b, 9c, 9d, and 11 (MCL 28.609, 28.609b,  
28.609c, 28.609d, and 28.611), sections 9, 9b, 9c, and 9d as  
amended by 2018 PA 552 and section 11 as amended by 2017 PA 198.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

**1**       Sec. 9. (1) This section applies to all law enforcement  
**2** officers except individuals to whom sections 9a, 9b, 9c, and 9d  
**3** apply. Employment of law enforcement officers to whom this section

1 applies is subject to the licensing requirements and procedures of  
2 this section and section 9e. An individual who seeks admission to a  
3 preservice college basic law enforcement training academy or a  
4 regional basic law enforcement training academy or the recognition  
5 of prior basic law enforcement training and experience program for  
6 purposes of licensure under this section shall submit to  
7 fingerprinting as provided in section 11(3).

8 (2) The commission shall promulgate rules governing licensing  
9 standards and procedures for individuals licensed under this  
10 section. In promulgating the rules, the commission shall give  
11 consideration to the varying factors and special requirements of  
12 law enforcement agencies. Rules promulgated under this subsection  
13 must pertain to the following:

14 (a) Subject to section 9e, training requirements that may be  
15 met by completing either of the following:

16 (i) Preenrollment requirements, courses of study, attendance  
17 requirements, and instructional hours at an agency basic law  
18 enforcement training academy, a preservice college basic law  
19 enforcement training academy, or a regional basic law enforcement  
20 training academy.

21 (ii) The recognition of prior basic law enforcement training  
22 and experience program for granting a waiver from the licensing  
23 standard specified in subparagraph (i).

24 (b) Proficiency on a licensing examination administered after  
25 compliance with the licensing standard specified in subdivision

26 (a).

27 (c) Physical ability.

28 (d) Psychological fitness.

29 (e) Education.

1 (f) Reading and writing proficiency.

2 (g) Minimum age.

3 (h) Whether or not a valid operator's or chauffeur's license  
4 is required for licensure.

5 (i) Character fitness, as determined by a background  
6 investigation supported by a written authorization and release  
7 executed by the individual for whom licensure is sought.

8 (j) Whether or not United States citizenship is required for  
9 licensure.

10 (k) Employment as a law enforcement officer.

11 (l) The form and manner for execution of a written oath of  
12 office by a law enforcement agency with whom the individual is  
13 employed, and the content of the written oath conferring authority  
14 to act with all of the law enforcement authority described in the  
15 laws of this state under which the individual is employed.

16 (m) The ability to be licensed and employed as a law  
17 enforcement officer under this section, without a restriction  
18 otherwise imposed by law.

19 (3) The licensure process under this section must follow the  
20 following procedures:

21 (a) Before executing the oath of office, an employing law  
22 enforcement agency verifies that the individual to whom the oath is  
23 to be administered complies with licensing standards.

24 (b) A law enforcement agency employing an individual licensed  
25 under this section authorizes the individual to exercise the law  
26 enforcement authority described in the laws of this state under  
27 which the individual is employed, by executing a written oath of  
28 office.

29 (c) Not more than 10 calendar days after executing the oath of

1 office, the employing law enforcement agency shall attest in  
2 writing to the commission that the individual to whom the oath was  
3 administered satisfies the licensing standards by submitting an  
4 executed affidavit and a copy of the executed oath of office.

5 (4) If, upon reviewing the executed affidavit and executed  
6 oath of office, the commission determines that the individual  
7 complies with the licensing standards, the commission shall grant  
8 the individual a license.

9 (5) If, upon reviewing the executed affidavit and executed  
10 oath of office, the commission determines that the individual does  
11 not comply with the licensing standards, the commission may do any  
12 of the following:

13 (a) Supervise the remediation of errors or omissions in the  
14 affidavit and oath of office.

15 (b) Supervise the remediation of errors or omissions in the  
16 screening, procedures, examinations, testing, and other means used  
17 to verify compliance with the licensing standards.

18 (c) Supervise additional screening, procedures, examinations,  
19 testing, and other means used to determine compliance with the  
20 licensing standards.

21 (d) Deny the issuance of a license and inform the employing  
22 law enforcement agency.

23 (6) Upon being informed that the commission has denied  
24 issuance of a license, the employing law enforcement agency shall  
25 promptly inform the individual whose licensure was denied.

26 (7) An individual denied a license under this section shall  
27 not exercise the law enforcement authority described in the laws of  
28 this state under which the individual is employed. This subsection  
29 does not divest the individual of that authority until the

1 individual has been informed that his or her licensure was denied.

2 (8) A law enforcement agency that has administered an oath of  
3 office to an individual under this section shall do all of the  
4 following, with respect to that individual:

5 (a) Report to the commission all personnel transactions  
6 affecting employment status in a manner prescribed in rules  
7 promulgated by the commission.

8 (b) Report to the commission concerning any action taken by  
9 the employing agency that removes the authority conferred by the  
10 oath of office, or that restores the individual's authority to that  
11 conferred by the oath of office, in a manner prescribed in rules  
12 promulgated by the commission.

13 (c) Maintain an employment history record.

14 (d) Collect, verify, and maintain documentation establishing  
15 that the individual complies with the licensing standards.

16 **(e) Beginning on October 1, 2021, report to the commission all**  
17 **instances of improper use of force by the individual during the**  
18 **course of the individual's duty as a law enforcement officer.**

19 (9) An individual licensed under this section shall report all  
20 of the following to the commission:

21 (a) Criminal charges for offenses for which that individual's  
22 license may be revoked as described in this section, upon being  
23 informed of such charges, in a manner prescribed in rules  
24 promulgated by the commission.

25 (b) The imposition of a personal protection order against that  
26 individual after a judicial hearing under section 2950 or 2950a of  
27 the revised judicature act of 1961, 1961 PA 236, MCL 600.2950 and  
28 600.2950a, or under the laws of any other jurisdiction, upon being  
29 informed of the imposition of such an order, in a manner prescribed

1 in rules promulgated by the commission.

2 (10) A license issued under this section is rendered inactive,  
3 and may be reactivated, as follows:

4 (a) A license is rendered inactive if 1 or more of the  
5 following occur:

6 (i) An individual, having been employed as a law enforcement  
7 officer for fewer than 2,080 hours in aggregate, is thereafter  
8 continuously not employed as a law enforcement officer for less  
9 than 1 year.

10 (ii) An individual, having been employed as a law enforcement  
11 officer for fewer than 2,080 hours in aggregate, is thereafter  
12 continuously subjected to a removal of the authority conferred by  
13 the oath of office for less than 1 year.

14 (iii) An individual, having been employed as a law enforcement  
15 officer for 2,080 hours or longer in aggregate, is thereafter  
16 continuously not employed as a law enforcement officer for less  
17 than 2 years.

18 (iv) An individual, having been employed as a law enforcement  
19 officer for 2,080 hours or longer in aggregate, is continuously  
20 subjected to a removal of the authority conferred by the oath of  
21 office for less than 2 years.

22 (b) An employing law enforcement agency may reactivate a  
23 license rendered inactive by complying with the licensure  
24 procedures described in subsection (3), excluding verification of  
25 and attestation to compliance with the licensing standards  
26 described in subsection (2) (a) to (g).

27 (c) A license that has been reactivated under this section is  
28 valid for all purposes described in this act.

29 (11) A license issued under this section is rendered lapsed,

1 without barring further licensure under this act, if 1 or more of  
2 the following occur:

3 (a) An individual, having been employed as a law enforcement  
4 officer for fewer than 2,080 hours in aggregate, is thereafter  
5 continuously not employed as a law enforcement officer for 1 year.

6 (b) An individual, having been employed as a law enforcement  
7 officer for fewer than 2,080 hours in aggregate, is thereafter  
8 continuously subjected to a removal of the authority conferred by  
9 the oath of office for 1 year.

10 (c) An individual, having been employed as a law enforcement  
11 officer for 2,080 hours or longer in aggregate, is thereafter  
12 continuously not employed as a law enforcement officer for 2 years.

13 (d) An individual, having been employed as a law enforcement  
14 officer for 2,080 hours or longer in aggregate, is continuously  
15 subjected to a removal of the authority conferred by the oath of  
16 office for 2 years.

17 (12) The commission shall revoke a license granted under this  
18 section for any of the following circumstances and shall promulgate  
19 rules governing revocations under this subsection:

20 (a) The individual obtained the license by making a materially  
21 false oral or written statement or committing fraud in an  
22 affidavit, disclosure, or application to a law enforcement training  
23 academy, the commission, or a law enforcement agency at any stage  
24 of recruitment, selection, appointment, enrollment, training, or  
25 licensure application.

26 (b) The individual obtained the license because another  
27 individual made a materially false oral or written statement or  
28 committed fraud in an affidavit, disclosure, or application to a  
29 law enforcement training academy, the commission, or a law

1 enforcement agency at any stage of recruitment, selection,  
2 appointment, enrollment, training, or licensure application.

3 (c) The individual has been subjected to an adjudication of  
4 guilt for a violation or attempted violation of a penal law of this  
5 state or another jurisdiction that is punishable by imprisonment  
6 for more than 1 year.

7 (d) The individual has been subjected to an adjudication of  
8 guilt for violation or attempted violation of 1 or more of the  
9 following penal laws of this state or laws of another jurisdiction  
10 substantially corresponding to the penal laws of this state:

11 (i) Section 625(1) or (8) of the Michigan vehicle code, 1949 PA  
12 300, MCL 257.625, if the individual has a prior conviction, as that  
13 term is defined in section 625(25)(b) of the Michigan vehicle code,  
14 1949 PA 300, MCL 257.625, that occurred within 7 years of the  
15 adjudication as described in section 625(9)(b) of the Michigan  
16 vehicle code, 1949 PA 300, MCL 257.625.

17 (ii) Section 7403(2)(c) or 7404(2)(a), (b), or (c) of the  
18 public health code, 1978 PA 368, MCL 333.7403 and 333.7404.

19 (iii) Section 81(4) or 81a or a misdemeanor violation of section  
20 411h of the Michigan penal code, 1931 PA 328, MCL 750.81, 750.81a,  
21 and 750.411h.

22 (13) The following procedures and requirements apply to  
23 license revocation under this section:

24 (a) The commission shall initiate license revocation  
25 proceedings, including, but not limited to, the issuance of an  
26 order of summary suspension and notice of intent to revoke, upon  
27 obtaining notice of facts warranting license revocation.

28 (b) A hearing for license revocation must be conducted as a  
29 contested case under the administrative procedures act of 1969,



1 1969 PA 306, MCL 24.201 to 24.328.

2 (c) In lieu of participating in a contested case, an  
3 individual may voluntarily and permanently relinquish his or her  
4 law enforcement officer license by executing before a notary public  
5 an affidavit of license relinquishment prescribed by the  
6 commission.

7 (d) The commission need not delay or abate license revocation  
8 proceedings based on an adjudication of guilt if an appeal is taken  
9 from the adjudication of guilt.

10 (e) If the commission issues a final decision or order to  
11 revoke a license, that decision or order is subject to judicial  
12 review as provided in the administrative procedures act of 1969,  
13 1969 PA 306, MCL 24.201 to 24.328. A summary suspension described  
14 in this section is not a final decision or order for purposes of  
15 judicial review.

16 (14) An individual licensed under this section shall not  
17 exercise the law enforcement authority described in the laws of  
18 this state under which the individual is employed if any of the  
19 following occur:

20 (a) The individual's license is rendered void by a court order  
21 or other operation of law.

22 (b) The individual's license is revoked.

23 (c) The individual's license is rendered inactive.

24 (d) The individual's license is rendered lapsed.

25 Sec. 9b. (1) This section applies only to individuals who are  
26 employed as Michigan tribal law enforcement officers in this state  
27 and are subject to a written instrument authorizing them to enforce  
28 the laws of this state. Conferring authority to enforce the laws of  
29 this state to law enforcement officers to whom this section applies

1 is subject to the licensing requirements and procedures of this  
2 section and section 9e. An individual who seeks admission to a  
3 preservice college basic law enforcement training academy or a  
4 regional basic law enforcement training academy or the recognition  
5 of prior basic law enforcement training and experience program for  
6 purposes of licensure under this section shall submit to  
7 fingerprinting as provided in section 11(3).

8 (2) The commission shall promulgate rules governing licensing  
9 standards and procedures, pertaining to the following:

10 (a) Subject to section 9e, training requirements that may be  
11 met by completing either of the following:

12 (i) Preenrollment requirements, courses of study, attendance  
13 requirements, and instructional hours at an agency basic law  
14 enforcement training academy, a preservice college basic law  
15 enforcement training academy, or a regional basic law enforcement  
16 training academy.

17 (ii) The recognition of prior basic law enforcement training  
18 and experience program for granting a waiver from the licensing  
19 standard specified in subparagraph (i).

20 (b) Proficiency on a licensing examination administered after  
21 compliance with the licensing standard specified in subdivision

22 (a).

23 (c) Physical ability.

24 (d) Psychological fitness.

25 (e) Education.

26 (f) Reading and writing proficiency.

27 (g) Minimum age.

28 (h) Whether or not a valid operator's or chauffeur's license  
29 is required for licensure.

1 (i) Character fitness, as determined by a background  
2 investigation supported by a written authorization and release  
3 executed by the individual for whom licensure is sought.

4 (j) Whether or not United States citizenship is required for  
5 licensure.

6 (k) Employment as a Michigan tribal law enforcement officer.

7 (l) The form and manner for execution of a written instrument  
8 conferring authority upon the individual to enforce the laws of  
9 this state, consisting of any of the following:

10 (i) Deputation by a sheriff of this state, conferring authority  
11 upon the individual to enforce the laws of this state.

12 (ii) Appointment as a law enforcement officer by a law  
13 enforcement agency, conferring authority upon the individual to  
14 enforce the laws of this state.

15 (iii) Execution of a written agreement between the Michigan  
16 tribal law enforcement agency with whom the individual is employed  
17 and a law enforcement agency, conferring authority upon the  
18 individual to enforce the laws of this state.

19 (iv) Execution of a written agreement between this state, or a  
20 subdivision of this state, and the United States, conferring  
21 authority upon the individual to enforce the laws of this state.

22 (m) The ability to be licensed and employed as a law  
23 enforcement officer under this section, without a restriction  
24 otherwise imposed by law.

25 (3) The licensure process under this section must follow the  
26 following procedures:

27 (a) A law enforcement agency or other governmental agency  
28 conferring authority upon a Michigan tribal law enforcement officer  
29 as provided in this section shall confer the authority to enforce

1 the laws of this state by executing a written instrument as  
2 provided in this section.

3 (b) Before executing the written instrument, a law enforcement  
4 agency or other governmental agency shall verify that the  
5 individual complies with the licensing standards.

6 (c) Not more than 10 calendar days after the effective date of  
7 the written instrument, the law enforcement agency or other  
8 governmental agency executing the written instrument shall attest  
9 in writing to the commission that the individual to whom the  
10 authority was conferred satisfies the licensing standards, by  
11 submitting an executed affidavit and a copy of the written  
12 instrument.

13 (4) If, upon reviewing the executed affidavit and the written  
14 instrument, the commission determines that the individual complies  
15 with the licensing standards, the commission shall grant the  
16 individual a license.

17 (5) If, upon reviewing the executed affidavit and the written  
18 instrument, the commission determines that the individual does not  
19 comply with the licensing standards, the commission may do any of  
20 the following:

21 (a) Supervise the remediation of errors or omissions in the  
22 affidavit and oath of office.

23 (b) Supervise the remediation of errors or omissions in the  
24 screening, procedures, examinations, testing, and other means used  
25 to verify compliance with the licensing standards.

26 (c) Supervise additional screening, procedures, examinations,  
27 testing, and other means used to determine compliance with the  
28 licensing standards.

29 (d) Deny the issuance of a license and inform the law

1 enforcement agency or other governmental agency conferring  
2 authority to enforce the laws of this state upon an individual to  
3 whom this section applies.

4 (6) Upon being informed that the commission has denied  
5 issuance of a license, a law enforcement agency or other  
6 governmental agency conferring authority to enforce the laws of  
7 this state upon an individual to whom this section applies shall  
8 promptly inform the individual denied.

9 (7) An individual denied a license under this section shall  
10 not exercise the law enforcement authority described in a written  
11 instrument conferring authority upon the individual to enforce the  
12 laws of this state. This subsection does not divest the individual  
13 of that authority until the individual has been informed that his  
14 or her license was denied.

15 (8) A written instrument conferring authority to enforce the  
16 laws of this state upon an individual to whom this section applies  
17 must include the following:

18 (a) A requirement that the employing Michigan tribal law  
19 enforcement agency report to the commission all personnel  
20 transactions affecting employment status in a manner prescribed in  
21 rules promulgated by the commission.

22 (b) A requirement that the employing Michigan tribal law  
23 enforcement agency report to the commission concerning any action  
24 it takes that removes the authority conferred by the written  
25 instrument conferring authority upon the individual to enforce the  
26 laws of this state or that restores the individual's authority to  
27 that conferred by the written instrument, in a manner prescribed in  
28 rules promulgated by the commission.

29 (c) A requirement that the employing Michigan tribal law

1 enforcement agency maintain an employment history record.

2 (d) A requirement that the employing Michigan tribal law  
3 enforcement agency collect, verify, and maintain documentation  
4 establishing that the individual complies with the applicable  
5 licensing standards.

6 **(e) Beginning on October 1, 2021, a requirement that the**  
7 **employing Michigan tribal law enforcement agency report to the**  
8 **commission all instances of improper use of force by the individual**  
9 **during the course of the individual's duty as a Michigan tribal law**  
10 **enforcement officer.**

11 (9) A written instrument conferring authority to enforce the  
12 laws of this state upon an individual to whom this section applies  
13 must include a requirement that the employing Michigan tribal law  
14 enforcement agency report the following regarding an individual  
15 licensed under this section:

16 (a) Criminal charges for offenses for which that individual's  
17 license may be revoked as described in this section, upon being  
18 informed of such charges, in a manner prescribed in rules  
19 promulgated by the commission.

20 (b) The imposition of a personal protection order against that  
21 individual after a judicial hearing under section 2950 or 2950a of  
22 the revised judicature act of 1961, 1961 PA 236, MCL 600.2950 and  
23 600.2950a, or under the laws of any other jurisdiction, upon being  
24 informed of the imposition of such an order, in a manner prescribed  
25 in rules promulgated by the commission.

26 (10) A license issued under this section is rendered inactive,  
27 and may be reactivated, as follows:

28 (a) A license is rendered inactive if 1 or more of the  
29 following occur:

1           (i) An individual, having been employed as a law enforcement  
2 officer in aggregate for less than 2,080 hours, is thereafter  
3 continuously not employed as a law enforcement officer for less  
4 than 1 year.

5           (ii) An individual, having been employed as a law enforcement  
6 officer in aggregate for less than 2,080 hours, is thereafter  
7 continuously subjected to a removal of the authority conferred by  
8 the written instrument authorizing the individual to enforce the  
9 laws of this state for less than 1 year.

10           (iii) An individual, having been employed as a law enforcement  
11 officer in aggregate for 2,080 hours or longer, is thereafter  
12 continuously not employed as a law enforcement officer for less  
13 than 2 years.

14           (iv) An individual, having been employed as a law enforcement  
15 officer in aggregate for 2,080 hours or longer, is continuously  
16 subjected to a removal of the authority conferred by the written  
17 instrument authorizing the individual to enforce the laws of this  
18 state for less than 2 years.

19           (b) A law enforcement agency or other governmental agency  
20 conferring authority to enforce the laws of this state upon an  
21 individual to whom this section applies may reactivate a license  
22 rendered inactive by complying with the licensure procedures  
23 described in subsection (3), excluding verification of and  
24 attestation to compliance with the licensing standards described in  
25 subsection (2)(a) to (g).

26           (c) A license that has been reactivated under this section is  
27 valid for all purposes described in this act.

28           (11) A license issued under this section is rendered lapsed,  
29 without barring further licensure under this act, if 1 or more of

1 the following occur:

2 (a) An individual, having been employed as a law enforcement  
3 officer in aggregate for less than 2,080 hours, is thereafter  
4 continuously not employed as a law enforcement officer for 1 year.

5 (b) An individual, having been employed as a law enforcement  
6 officer in aggregate for less than 2,080 hours, is thereafter  
7 continuously subjected to a removal of the authority conferred by  
8 the written instrument authorizing the individual to enforce the  
9 laws of this state for 1 year.

10 (c) An individual, having been employed as a law enforcement  
11 officer in aggregate for 2,080 hours or longer, is thereafter  
12 continuously not employed as a law enforcement officer for 2 years.

13 (d) An individual, having been employed as a law enforcement  
14 officer in aggregate for 2,080 hours or longer, is continuously  
15 subjected to a removal of the authority conferred by the written  
16 instrument authorizing the individual to enforce the laws of this  
17 state for 2 years.

18 (12) The commission shall revoke a license granted under this  
19 section for any of the following circumstances and shall promulgate  
20 rules governing these revocations under this section:

21 (a) The individual obtained the license by making a materially  
22 false oral or written statement or committing fraud in an  
23 affidavit, disclosure, or application to a law enforcement training  
24 academy, the commission, or a law enforcement agency at any stage  
25 of recruitment, selection, appointment, enrollment, training, or  
26 licensure application.

27 (b) The individual obtained the license because another  
28 individual made a materially false oral or written statement or  
29 committed fraud in an affidavit, disclosure, or application to a



1 law enforcement training academy, the commission, or a law  
2 enforcement agency at any stage of recruitment, selection,  
3 appointment, enrollment, training, or licensure application.

4 (c) The individual has been subjected to an adjudication of  
5 guilt for a violation or attempted violation of a penal law of this  
6 state or another jurisdiction that is punishable by imprisonment  
7 for more than 1 year.

8 (d) The individual has been subjected to an adjudication of  
9 guilt for violation or attempted violation of 1 or more of the  
10 following penal laws of this state or laws of another jurisdiction  
11 substantially corresponding to the penal laws of this state:

12 (i) Section 625(1) or (8) of the Michigan vehicle code, 1949 PA  
13 300, MCL 257.625, if the individual has a prior conviction, as that  
14 term is defined in section 625(25)(b) of the Michigan vehicle code,  
15 1949 PA 300, MCL 257.625, that occurred within 7 years of the  
16 adjudication as described in section 625(9)(b) of the Michigan  
17 vehicle code, 1949 PA 300, MCL 257.625.

18 (ii) Section 7403(2)(c) or 7404(2)(a), (b), or (c) of the  
19 public health code, 1978 PA 368, MCL 333.7403 and 333.7404.

20 (iii) Section 81(4) or 81a or a misdemeanor violation of section  
21 411h of the Michigan penal code, 1931 PA 328, MCL 750.81, 750.81a,  
22 and 750.411h.

23 (13) The following procedures and requirements apply to  
24 license revocation under this section:

25 (a) The commission shall initiate license revocation  
26 proceedings, including, but not limited to, the issuance of an  
27 order of summary suspension and notice of intent to revoke, upon  
28 obtaining notice of facts warranting license revocation.

29 (b) A hearing for license revocation must be conducted as a

1 contested case under the administrative procedures act of 1969,  
2 1969 PA 306, MCL 24.201 to 24.328.

3 (c) In lieu of participating in a contested case, an  
4 individual may voluntarily and permanently relinquish his or her  
5 law enforcement officer license by executing before a notary public  
6 an affidavit of license relinquishment prescribed by the  
7 commission.

8 (d) The commission need not delay or abate license revocation  
9 proceedings based on an adjudication of guilt if an appeal is taken  
10 from the adjudication of guilt.

11 (e) If the commission issues a final decision or order to  
12 revoke a license, that decision or order is subject to judicial  
13 review as provided in the administrative procedures act of 1969,  
14 1969 PA 306, MCL 24.201 to 24.328. A summary suspension described  
15 in this section is not a final decision or order for purposes of  
16 judicial review.

17 (14) An individual licensed under this section shall not  
18 exercise the law enforcement authority described in a written  
19 instrument conferring authority upon the individual to enforce the  
20 laws of this state if any of the following occur:

21 (a) The individual's license is rendered void by a court order  
22 or other operation of law.

23 (b) The individual's license is revoked.

24 (c) The individual's license is rendered inactive.

25 (d) The individual's license is rendered lapsed.

26 Sec. 9c. (1) This section applies only to individuals who are  
27 employed as fire arson investigators from fire departments within  
28 villages, cities, townships, or counties in this state, who are  
29 sworn and fully empowered by the chiefs of police of those

1 villages, cities, townships, or counties. Conferring authority to  
2 enforce the laws of this state to law enforcement officers to whom  
3 this section applies is subject to the licensing requirements and  
4 procedures of this section and section 9e. An individual who seeks  
5 admission to a preservice college basic law enforcement training  
6 academy or a regional basic law enforcement training academy or the  
7 recognition of prior basic law enforcement training and experience  
8 program for purposes of licensure under this section shall submit  
9 to fingerprinting as provided in section 11(3).

10 (2) The commission shall promulgate rules governing licensing  
11 standards and procedures, pertaining to the following:

12 (a) Subject to section 9e, training requirements that may be  
13 met by completing either of the following:

14 (i) Preenrollment requirements, courses of study, attendance  
15 requirements, and instructional hours at an agency basic law  
16 enforcement training academy, a preservice college basic law  
17 enforcement training academy, or a regional basic law enforcement  
18 training academy.

19 (ii) The recognition of prior basic law enforcement training  
20 and experience program for granting a waiver from the licensing  
21 standard specified in subparagraph (i).

22 (b) Proficiency on a licensing examination administered after  
23 compliance with the licensing standard specified in subdivision

24 (a).

25 (c) Physical ability.

26 (d) Psychological fitness.

27 (e) Education.

28 (f) Reading and writing proficiency.

29 (g) Minimum age.

1 (h) Whether or not a valid operator's or chauffeur's license  
2 is required for licensure.

3 (i) Character fitness, as determined by a background  
4 investigation supported by a written authorization and release  
5 executed by the individual for whom licensure is sought.

6 (j) Whether or not United States citizenship is required for  
7 licensure.

8 (k) Employment as a fire arson investigator from a fire  
9 department within a village, city, township, or county in this  
10 state, who is sworn and fully empowered by the chief of police of  
11 that village, city, township, or county.

12 (l) The form and manner for execution of a written oath of  
13 office by the chief of police of a village, city, township, or  
14 county law enforcement agency, and the content of the written oath  
15 conferring authority to enforce the laws of this state.

16 (m) The ability to be licensed and employed as a law  
17 enforcement officer under this section, without a restriction  
18 otherwise imposed by law.

19 (3) The licensure process under this section must follow the  
20 following procedures:

21 (a) Before executing the oath of office, the chief of police  
22 shall verify that the individual to whom the oath is to be  
23 administered complies with the licensing standards.

24 (b) The chief of police shall execute an oath of office  
25 authorizing the individual to enforce the laws of this state.

26 (c) Not more than 10 calendar days after executing the oath of  
27 office, the chief of police shall attest in writing to the  
28 commission that the individual to whom the oath was administered  
29 satisfies the licensing standards by submitting an executed

1 affidavit and a copy of the executed oath of office.

2 (4) If, upon reviewing the executed affidavit and executed  
3 oath of office, the commission determines that the individual  
4 complies with the licensing standards, the commission shall grant  
5 the individual a license.

6 (5) If, upon reviewing the executed affidavit and executed  
7 oath of office, the commission determines that the individual does  
8 not comply with the licensing standards, the commission may do any  
9 of the following:

10 (a) Supervise the remediation of errors or omissions in the  
11 affidavit and oath of office.

12 (b) Supervise the remediation of errors or omissions in the  
13 screening, procedures, examinations, testing, and other means used  
14 to verify compliance with the licensing standards.

15 (c) Supervise additional screening, procedures, examinations,  
16 testing, and other means used to determine compliance with the  
17 licensing standards.

18 (d) Deny the issuance of a license and inform the chief of  
19 police.

20 (6) Upon being informed that the commission has denied  
21 issuance of a license, the chief of police shall promptly inform  
22 the individual whose licensure was denied.

23 (7) An individual denied a license under this section shall  
24 not exercise the law enforcement authority described in the oath of  
25 office. This subsection does not divest the individual of that  
26 authority until the individual has been informed that his or her  
27 license was denied.

28 (8) A chief of police who has administered an oath of office  
29 to an individual under this section shall do all of the following,

1 with respect to that individual:

2 (a) Report to the commission all personnel transactions  
3 affecting employment status in a manner prescribed in rules  
4 promulgated by the commission.

5 (b) Report to the commission concerning any action taken by  
6 the chief of police that removes the authority conferred by the  
7 oath of office, or that restores the individual's authority to that  
8 conferred by the oath of office, in a manner prescribed in rules  
9 promulgated by the commission.

10 (c) Maintain an employment history record.

11 (d) Collect, verify, and maintain documentation establishing  
12 that the individual complies with the applicable licensing  
13 standards.

14 **(e) Beginning on October 1, 2021, report to the commission all**  
15 **instances of improper use of force by the individual during the**  
16 **course of the individual's duty as a fire arson investigator.**

17 (9) An individual licensed under this section shall report all  
18 of the following to the commission:

19 (a) Criminal charges for offenses for which that individual's  
20 license may be revoked as described in this section, upon being  
21 informed of such charges, in a manner prescribed in rules  
22 promulgated by the commission.

23 (b) Imposition of a personal protection order against that  
24 individual after a judicial hearing under section 2950 or 2950a of  
25 the revised judicature act of 1961, 1961 PA 236, MCL 600.2950 and  
26 600.2950a, or under the laws of any other jurisdiction, upon being  
27 informed of the imposition of such an order, in a manner prescribed  
28 in rules promulgated by the commission.

29 (10) A license issued under this section is rendered lapsed,

1 without barring further licensure under this act, if 1 or both of  
2 the following occur:

3 (a) The individual is no longer employed as a fire arson  
4 investigator from a fire department within a village, city,  
5 township, or county in this state, who is sworn and fully empowered  
6 by the chief of police of that village, city, township, or county,  
7 rendering the license lapsed.

8 (b) The individual is subjected to a removal of the authority  
9 conferred by the oath of office, rendering the license lapsed.

10 (11) The commission shall revoke a license granted under this  
11 section for any of the following circumstances and shall promulgate  
12 rules governing these revocations under this subsection:

13 (a) The individual obtained the license by making a materially  
14 false oral or written statement or committing fraud in an  
15 affidavit, disclosure, or application to a law enforcement training  
16 academy, the commission, or a law enforcement agency at any stage  
17 of recruitment, selection, appointment, enrollment, training, or  
18 licensure application.

19 (b) The individual obtained the license because another  
20 individual made a materially false oral or written statement or  
21 committed fraud in an affidavit, disclosure, or application to a  
22 law enforcement training academy, the commission, or a law  
23 enforcement agency at any stage of recruitment, selection,  
24 appointment, enrollment, training, or licensure application.

25 (c) The individual has been subjected to an adjudication of  
26 guilt for a violation or attempted violation of a penal law of this  
27 state or another jurisdiction that is punishable by imprisonment  
28 for more than 1 year.

29 (d) The individual has been subjected to an adjudication of

1 guilt for violation or attempted violation of 1 or more of the  
2 following penal laws of this state or laws of another jurisdiction  
3 substantially corresponding to the penal laws of this state:

4 (i) Section 625(1) or (8) of the Michigan vehicle code, 1949 PA  
5 300, MCL 257.625, if the individual has a prior conviction, as that  
6 term is defined in section 625(25) (b) of the Michigan vehicle code,  
7 1949 PA 300, MCL 257.625, that occurred within 7 years of the  
8 adjudication as described in section 625(9) (b) of the Michigan  
9 vehicle code, 1949 PA 300, MCL 257.625.

10 (ii) Section 7403(2) (c) or 7404(2) (a), (b), or (c) of the  
11 public health code, 1978 PA 368, MCL 333.7403 and 333.7404.

12 (iii) Section 81(4) or 81a or a misdemeanor violation of section  
13 411h of the Michigan penal code, 1931 PA 328, MCL 750.81, 750.81a,  
14 and 750.411h.

15 (12) The following procedures and requirements apply to  
16 license revocation under this section:

17 (a) The commission shall initiate license revocation  
18 proceedings, including, but not limited to, issuance of an order of  
19 summary suspension and notice of intent to revoke, upon obtaining  
20 notice of facts warranting license revocation.

21 (b) A hearing for license revocation must be conducted as a  
22 contested case under the administrative procedures act of 1969,  
23 1969 PA 306, MCL 24.201 to 24.328.

24 (c) In lieu of participating in a contested case, an  
25 individual may voluntarily and permanently relinquish his or her  
26 law enforcement officer license by executing before a notary public  
27 an affidavit of license relinquishment prescribed by the  
28 commission.

29 (d) The commission need not delay or abate license revocation



1 proceedings based on an adjudication of guilt if an appeal is taken  
2 from the adjudication of guilt.

3 (e) If the commission issues a final decision or order to  
4 revoke a license, that decision or order is subject to judicial  
5 review as provided in the administrative procedures act of 1969,  
6 1969 PA 306, MCL 24.201 to 24.328. A summary suspension described  
7 in this section is not a final decision or order for purposes of  
8 judicial review.

9 (13) An individual licensed under this section shall not  
10 exercise the law enforcement authority described in the oath of  
11 office if any of the following occur:

12 (a) The individual's license is rendered void by a court order  
13 or other operation of law.

14 (b) The individual's license is revoked.

15 (c) The individual's license is rendered lapsed.

16 Sec. 9d. (1) This section applies only to individuals who meet  
17 all of the following conditions:

18 (a) Are employed as private college security officers under  
19 section 37 of the private security business and security alarm act,  
20 1968 PA 330, MCL 338.1087.

21 (b) Seek licensure under this act.

22 (c) Are sworn and fully empowered by a chief of police of a  
23 village, city, or township law enforcement agency, or are deputized  
24 by a county sheriff as a deputy sheriff, excluding deputation as a  
25 special deputy.

26 (2) The authority to enforce the laws of this state of private  
27 college security officers to whom this section applies is subject  
28 to the licensing requirements and procedures of this section and  
29 section 9e. An individual who seeks admission to a preservice

1 college basic law enforcement training academy or a regional basic  
2 law enforcement training academy or the recognition of prior basic  
3 law enforcement training and experience program for purposes of  
4 licensure under this section shall submit to fingerprinting as  
5 provided in section 11(3).

6 (3) The commission shall promulgate rules governing licensing  
7 standards and procedures, pertaining to the following:

8 (a) Subject to section 9e, training requirements that may be  
9 met by completing either of the following:

10 (i) Preenrollment requirements, courses of study, attendance  
11 requirements, and instructional hours at an agency basic law  
12 enforcement training academy, a preservice college basic law  
13 enforcement training academy, or a regional basic law enforcement  
14 training academy.

15 (ii) The recognition of prior basic law enforcement training  
16 and experience program for granting a waiver from the licensing  
17 standard specified in subparagraph (i).

18 (b) Proficiency on a licensing examination administered after  
19 compliance with the licensing standard specified in subdivision

20 (a).

21 (c) Physical ability.

22 (d) Psychological fitness.

23 (e) Education.

24 (f) Reading and writing proficiency.

25 (g) Minimum age.

26 (h) Whether or not a valid operator's or chauffeur's license  
27 is required for licensure.

28 (i) Character fitness, as determined by a background  
29 investigation supported by a written authorization and release

1 executed by the individual for whom licensure is sought.

2 (j) Whether or not United States citizenship is required for  
3 licensure.

4 (k) Employment as a private college security officer as  
5 defined in section 37 of the private security business and security  
6 alarm act, 1968 PA 330, MCL 338.1087, who is sworn and fully  
7 empowered by the chief of police of a village, city, or township  
8 law enforcement agency, or deputized by a county sheriff as a  
9 deputy sheriff, excluding deputation as a special deputy.

10 (l) The form and manner for execution of a written oath of  
11 office by the chief of police of a village, city, or township law  
12 enforcement agency, or by a county sheriff, and the content of the  
13 written oath conferring the authority to enforce the general  
14 criminal laws of this state.

15 (m) The ability to be licensed and employed as a law  
16 enforcement officer under this section, without a restriction  
17 otherwise imposed by law.

18 (4) The licensure process under this section must follow the  
19 following procedures:

20 (a) Before executing the oath of office, the chief of police  
21 of a village, city, or township law enforcement agency or the  
22 county sheriff shall verify that the private college security  
23 officer to whom the oath is administered complies with the  
24 licensing standards.

25 (b) The chief of police of a village, city, or township law  
26 enforcement agency or the county sheriff shall execute an oath of  
27 office authorizing the private college security officer to enforce  
28 the general criminal laws of this state.

29 (c) Not more than 10 calendar days after executing the oath of

1 office, the chief of police of a village, city, or township law  
2 enforcement agency or the county sheriff shall attest in writing to  
3 the commission that the private college security officer to whom  
4 the oath was administered satisfies the licensing standards by  
5 submitting an executed affidavit and a copy of the executed oath of  
6 office.

7 (5) If upon reviewing the executed affidavit and oath of  
8 office the commission determines that the private college security  
9 officer complies with the licensing standards, the commission shall  
10 grant the private college security officer a license.

11 (6) If upon reviewing the executed affidavit and oath of  
12 office the commission determines that the private college security  
13 officer does not comply with the licensing standards, the  
14 commission may do any of the following:

15 (a) Supervise remediation of errors or omissions in the  
16 affidavit or oath of office.

17 (b) Supervise the remediation of errors or omissions in the  
18 screening, procedures, examinations, testing, and other means used  
19 to verify compliance with the licensing standards.

20 (c) Supervise additional screening, procedures, examinations,  
21 testing, and other means used to determine compliance with the  
22 licensing standards.

23 (d) Deny the issuance of a license and inform the chief of  
24 police of a village, city, or township law enforcement agency or  
25 the county sheriff of the denial.

26 (7) Upon being informed that the commission has denied  
27 issuance of a license, the chief of police of a village, city, or  
28 township law enforcement agency or the county sheriff shall  
29 promptly inform the private college security officer seeking

1 licensure that he or she has been denied issuance of a license  
2 under this section.

3 (8) A private college security officer denied a license under  
4 this section may not exercise the law enforcement authority  
5 described in the oath of office. This subsection does not divest  
6 the private college security officer of that authority until the  
7 private college security officer has been informed that his or her  
8 licensure was denied.

9 (9) A chief of police of a village, city, or township law  
10 enforcement agency or a county sheriff who has administered an oath  
11 of office to a private college security officer under this section  
12 shall, with respect to that private college security officer, do  
13 all of the following:

14 (a) Report to the commission concerning all personnel  
15 transactions affecting employment status, in a manner prescribed in  
16 rules promulgated by the commission.

17 (b) Report to the commission concerning any action taken by  
18 the chief of police of a village, city, or township law enforcement  
19 agency or the county sheriff that removes the authority conferred  
20 by the oath of office or that restores the private college security  
21 officer's authority conferred by the oath of office, in a manner  
22 prescribed in rules promulgated by the commission.

23 (c) Maintain an employment history record.

24 (d) Collect, verify, and maintain documentation establishing  
25 that the private college security officer complies with the  
26 applicable licensing standards.

27 **(e) Beginning on October 1, 2021, report to the commission all**  
28 **instances of improper use of force by the individual during the**  
29 **course of the individual's duty as a private college security**

1 **officer.**

2 (10) If a private college or university appoints an individual  
3 as a private college security officer under section 37 of the  
4 private security business and security alarm act, 1968 PA 330, MCL  
5 338.1087, and the private college security officer is licensed  
6 under this section, the private college or university, with respect  
7 to the private college security officer, shall do all of the  
8 following:

9 (a) Report to the commission all personnel transactions  
10 affecting employment status in a manner prescribed in rules  
11 promulgated by the commission.

12 (b) Report to the chief of police of a village, city, or  
13 township law enforcement agency or the county sheriff who  
14 administered the oath of office to that private college security  
15 officer all personnel transactions affecting employment status, in  
16 a manner prescribed in rules promulgated by the commission.

17 (11) A private college security officer licensed under this  
18 section shall report all of the following to the commission:

19 (a) Criminal charges for offenses for which the private  
20 college security officer's license may be revoked as described in  
21 this section upon being informed of such charges and in a manner  
22 prescribed in rules promulgated by the commission.

23 (b) The imposition of a personal protection order against the  
24 private college security officer after a judicial hearing under  
25 section 2950 or 2950a of the revised judicature act of 1961, 1961  
26 PA 236, MCL 600.2950 and 600.2950a, or under the law of any other  
27 jurisdiction, upon being informed of the imposition of such an  
28 order, in a manner prescribed in rules promulgated by the  
29 commission.

1           (12) A license granted under this section is rendered lapsed,  
2 without barring further licensure under this act, if 1 or both of  
3 the following occur:

4           (a) The private college security officer is no longer employed  
5 as a private college security officer appointed under section 37 of  
6 the private security business and security alarm act, 1968 PA 330,  
7 MCL 338.1087, who is sworn and fully empowered by the chief of  
8 police of a village, city, or township law enforcement agency, or  
9 deputized by a county sheriff as a deputy sheriff, excluding  
10 deputation as a special deputy, rendering the license lapsed.

11           (b) The private college security officer is subjected to a  
12 removal of the authority conferred by the oath of office, rendering  
13 the license lapsed.

14           (13) The commission shall revoke a license granted under this  
15 section for any of the following and shall promulgate rules  
16 governing these revocations:

17           (a) The private college security officer obtained the license  
18 by making a materially false oral or written statement or  
19 committing fraud in the affidavit, disclosure, or application to a  
20 law enforcement training academy, the commission, or a law  
21 enforcement agency at any stage of recruitment, selection,  
22 appointment, enrollment, training, or licensure application.

23           (b) The private college security officer obtained the license  
24 because another person made a materially false oral or written  
25 statement or committed fraud in the affidavit, disclosure, or  
26 application to a law enforcement training academy, the commission,  
27 or a law enforcement agency at any stage of recruitment, selection,  
28 appointment, enrollment, training, or licensure application.

29           (c) The private college security officer has been subjected to

1 an adjudication of guilt for a violation or attempted violation of  
2 a penal law of this state or another jurisdiction that is  
3 punishable by imprisonment for more than 1 year.

4 (d) The private college security officer has been subjected to  
5 an adjudication of guilt for a violation or attempted violation of  
6 1 or more of the following penal laws of this state or another  
7 jurisdiction substantially corresponding to the penal laws of this  
8 state:

9 (i) Section 625(1) or (8) of the Michigan vehicle code, 1949 PA  
10 300, MCL 257.625, if the individual has a prior conviction, as that  
11 term is defined in section 625(25)(b) of the Michigan vehicle code,  
12 1949 PA 300, MCL 257.625, that occurred within 7 years of the  
13 adjudication as described in section 625(9)(b) of the Michigan  
14 vehicle code, 1949 PA 300, MCL 257.625.

15 (ii) Section 7403(2)(c) or 7404(2)(a), (b), or (c) of the  
16 public health code, 1978 PA 368, MCL 333.7403 and 333.7404.

17 (iii) Section 81(4) or 81a or a misdemeanor violation of section  
18 411h of the Michigan penal code, 1931 PA 328, MCL 750.81, 750.81a,  
19 and 750.411h.

20 (14) The following procedures and requirements apply to  
21 license revocation under this section:

22 (a) The commission shall initiate license revocation  
23 proceedings, including, but not limited to, the issuance of an  
24 order for summary suspension and notice of intent to revoke a  
25 license upon obtaining notice of facts warranting license  
26 revocation.

27 (b) A hearing for license revocation must be conducted as a  
28 contested case under the administrative procedures act of 1969,  
29 1969 PA 306, MCL 24.201 to 24.328.



1 (c) In lieu of participating in a contested case, a private  
2 ~~security-college~~ **security** officer may voluntarily and permanently  
3 relinquish his or her law enforcement officer license under this  
4 section by executing before a notary public an affidavit of license  
5 relinquishment as prescribed by the commission.

6 (d) The commission need not delay or abate license revocation  
7 proceedings based on an adjudication of guilt if an appeal is taken  
8 from the adjudication of guilt.

9 (e) If the commission issues a final decision or order to  
10 revoke a license, that decision or order is subject to judicial  
11 review as provided in the administrative procedures act of 1969,  
12 1969 PA 306, MCL 24.201 to 24.328. A summary suspension described  
13 in this section is not a final decision or order for purposes of  
14 judicial review.

15 (15) A private college security officer licensed under this  
16 section shall not exercise the law enforcement authority described  
17 in the oath of office he or she executed if any of the following  
18 occur:

19 (a) The private college security officer's license is rendered  
20 void by a court order or other operation of law.

21 (b) The private college security officer's license is revoked.

22 (c) The private college security officer's license is rendered  
23 lapsed.

24 Sec. 11. (1) The commission may do 1 or more of the following:

25 (a) Enter into agreements with colleges, universities,  
26 governmental agencies, and private entities to carry out the intent  
27 of this act.

28 (b) Issue certificates of approval to agency basic law  
29 enforcement training academies, preservice college basic law

1 enforcement training academies, and regional basic law enforcement  
2 training academies.

3 (c) Authorize issuance of certificates of graduation or  
4 diplomas by agency basic law enforcement training academies,  
5 preservice college basic law enforcement training academies, and  
6 regional basic law enforcement training academies to students who  
7 have satisfactorily completed minimum courses of study.

8 (d) Cooperate with state, federal, and local agencies to  
9 approve programs of in-service instruction and training of law  
10 enforcement officers of this state and of cities, counties,  
11 townships, and villages.

12 (e) Make recommendations to the legislature on matters  
13 pertaining to qualification and training of law enforcement  
14 officers.

15 (f) Require a licensing examination.

16 (g) Establish a recognition of prior basic law enforcement  
17 training and experience program.

18 (h) Establish and charge a fee to recover the cost of  
19 screening, enrolling, evaluating, and testing individuals who are  
20 not employed by a law enforcement agency ~~, which~~**that** must be  
21 deposited in the law enforcement officers training fund created in  
22 this section.

23 (i) Establish and charge a fee to recover the cost of issuing  
24 licenses to persons licensed under this act ~~, which~~**that** must be  
25 deposited in the law enforcement officers training fund created in  
26 this section.

27 (j) **Beginning on October 1, 2021, audit a law enforcement**  
28 **agency that is required to report all instances of improper use of**  
29 **force by a law enforcement officer in its employ under this act to**

**1 ensure accurate reporting by the law enforcement agency.**

2 (2) The commission may promulgate rules with respect to any of  
3 the following:

4 (a) In-service training programs and minimum courses of study  
5 and attendance requirements for licensed law enforcement officers.

6 (b) The establishment and approval of agency basic law  
7 enforcement training academies, preservice college basic law  
8 enforcement training academies, and regional basic law enforcement  
9 training academies.

10 (c) The minimum qualifications for instructors for approved  
11 agency basic law enforcement training academies, preservice college  
12 basic law enforcement training academies, and regional basic law  
13 enforcement training academies.

14 (d) The minimum facilities and equipment for agency basic law  
15 enforcement training academies, preservice college basic law  
16 enforcement training academies, and regional basic law enforcement  
17 training academies.

18 (e) Minimum standards and procedures for reserve officers.

19 (3) The commission shall require an individual seeking  
20 admission to a preservice college basic law enforcement training  
21 academy or a regional basic law enforcement training academy or the  
22 recognition of prior basic law enforcement training and experience  
23 program to submit his or her fingerprints to the department of  
24 state police for the purpose of conducting a criminal history  
25 record information check. The department of state police may charge  
26 a fee for conducting a criminal history record information check.  
27 The individual shall submit his or her fingerprints to the  
28 department of state police in a manner prescribed by the department  
29 of state police.

1           (4) The department of state police shall conduct a criminal  
2 history record information check on each individual described under  
3 subsection (3) through its own records and through the Federal  
4 Bureau of Investigation. After the completion of each criminal  
5 history record information check, the department of state police  
6 shall provide the criminal history record information to the  
7 commission.

8           (5) The department of state police shall store and retain  
9 fingerprints submitted under this section in an automated  
10 fingerprint identification system that provides for an automatic  
11 notification if subsequent criminal history record information  
12 matches fingerprints previously submitted under this section. Upon  
13 receiving a notification under this subsection, the department of  
14 state police shall forward that notification to the commission.

15           (6) The department of state police shall forward the  
16 fingerprints submitted under this section to the Federal Bureau of  
17 Investigation to be retained in the Federal Bureau of  
18 Investigation's next generation identification system and  
19 integrated automated fingerprint identification system that  
20 provides for automatic notification if subsequent criminal history  
21 record information matches fingerprints previously submitted to the  
22 Federal Bureau of Investigation under this subsection. Upon  
23 receiving a notification from the Federal Bureau of Investigation  
24 under this subsection, the department of state police shall forward  
25 that notification to the commission. The fingerprints retained  
26 under this subsection may be searched by using future submissions  
27 to those systems, including, but not limited to, latent fingerprint  
28 searches, with appropriate responses sent to the submitting and  
29 subscribing entities. This subsection does not apply unless the

1 department of state police is capable of participating in the  
2 Federal Bureau of Investigation's next generation identification  
3 system and integrated automated fingerprint identification system.

4 (7) The law enforcement officers training fund is created  
5 within the state treasury.

6 (8) The state treasurer may receive money or other assets from  
7 any source for deposit into the fund. The state treasurer shall  
8 direct investment of the fund. The state treasurer shall credit to  
9 the fund interest and earnings from fund investments.

10 (9) Money in the fund at the close of the fiscal year ~~shall~~  
11 **must** remain in the fund, ~~shall~~**must** not lapse into the general  
12 fund, and may be used by the commission, upon appropriation, in  
13 future fiscal years as prescribed in this section.

14 (10) The commission shall be the administrator of the fund for  
15 auditing purposes.

16 (11) The commission shall expend money from the fund, upon  
17 appropriation, to carry out its responsibilities under this act.