

HOUSE BILL NO. 5120

June 24, 2021, Introduced by Rep. Thanedar 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 the title and sections 9, 9b, 9c, and 9d (MCL 28.609, 28.609b, 28.609c, and 28.609d), the title as amended by 1998 PA 237 and sections 9, 9b, 9c, and 9d as amended by 2018 PA 552, and by adding section 9f.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 TITLE
2 An act to provide for the creation of the commission on law

1 enforcement standards; to prescribe its membership, powers, and
2 duties; to prescribe the reporting responsibilities of certain
3 state and local agencies; **to require certain training for law**
4 **enforcement officers**; to provide for additional costs in criminal
5 cases; to provide for the establishment of the law enforcement
6 officers training fund; and to provide for disbursement of
7 allocations from the law enforcement officers training fund to
8 local agencies of government participating in a police training
9 program.

10 Sec. 9. (1) This section applies to all law enforcement
11 officers except individuals to whom sections 9a, 9b, 9c, and 9d
12 apply. Employment of law enforcement officers to whom this section
13 applies is subject to the licensing requirements and procedures of
14 this section and ~~section~~**sections 9e and 9f**. An individual who
15 seeks admission to a preservice college basic law enforcement
16 training academy or a regional basic law enforcement training
17 academy or the recognition of prior basic law enforcement training
18 and experience program for purposes of licensure under this section
19 shall submit to fingerprinting as provided in section 11(3).

20 (2) The commission shall promulgate rules governing licensing
21 standards and procedures for individuals licensed under this
22 section. In promulgating the rules, the commission shall give
23 consideration to the varying factors and special requirements of
24 law enforcement agencies. Rules promulgated under this subsection
25 must pertain to the following:

26 (a) Subject to ~~section~~**sections 9e and 9f**, training
27 requirements that may be met by completing either of the following:

28 (i) Preenrollment requirements, courses of study, attendance
29 requirements, and instructional hours at an agency basic law

1 enforcement training academy, a preservice college basic law
2 enforcement training academy, or a regional basic law enforcement
3 training academy.

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

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

9 (a).

10 (c) Physical ability.

11 (d) Psychological fitness.

12 (e) Education.

13 (f) Reading and writing proficiency.

14 (g) Minimum age.

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

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

20 (j) Whether or not United States citizenship is required for
21 licensure.

22 (k) Employment as a law enforcement officer.

23 (l) The form and manner for execution of a written oath of
24 office by a law enforcement agency with whom the individual is
25 employed, and the content of the written oath conferring authority
26 to act with all of the law enforcement authority described in the
27 laws of this state under which the individual is employed.

28 (m) The ability to be licensed and employed as a law
29 enforcement officer under this section, without a restriction

1 otherwise imposed by law.

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

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

7 (b) A law enforcement agency employing an individual licensed
8 under this section authorizes the individual to exercise the law
9 enforcement authority described in the laws of this state under
10 which the individual is employed, by executing a written oath of
11 office.

12 (c) Not more than 10 calendar days after executing the oath of
13 office, the employing law enforcement agency shall attest in
14 writing to the commission that the individual to whom the oath was
15 administered satisfies the licensing standards by submitting an
16 executed affidavit and a copy of the executed oath of office.

17 (4) If, upon reviewing the executed affidavit and executed
18 oath of office, the commission determines that the individual
19 complies with the licensing standards, the commission shall grant
20 the individual a license.

21 (5) If, upon reviewing the executed affidavit and executed
22 oath of office, the commission determines that the individual does
23 not comply with the licensing standards, the commission may do any
24 of the following:

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

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

1 (c) Supervise additional screening, procedures, examinations,
2 testing, and other means used to determine compliance with the
3 licensing standards.

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

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

9 (7) An individual denied a license under this section shall
10 not exercise the law enforcement authority described in the laws of
11 this state under which the individual is employed. This subsection
12 does not divest the individual of that authority until the
13 individual has been informed that his or her licensure was denied.

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

17 (a) Report to the commission all personnel transactions
18 affecting employment status in a manner prescribed in rules
19 promulgated by the commission.

20 (b) Report to the commission concerning any action taken by
21 the employing agency that removes the authority conferred by the
22 oath of office, or that restores the individual's authority to that
23 conferred by the oath of office, in a manner prescribed in rules
24 promulgated by the commission.

25 (c) Maintain an employment history record.

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

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

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

5 (b) The imposition of a personal protection order against that
6 individual after a judicial hearing under section 2950 or 2950a of
7 the revised judicature act of 1961, 1961 PA 236, MCL 600.2950 and
8 600.2950a, or under the laws of any other jurisdiction, upon being
9 informed of the imposition of such an order, in a manner prescribed
10 in rules promulgated by the commission.

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

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

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

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

23 (iii) An individual, having been employed as a law enforcement
24 officer for 2,080 hours or longer in aggregate, is thereafter
25 continuously not employed as a law enforcement officer for less
26 than 2 years.

27 (iv) An individual, having been employed as a law enforcement
28 officer for 2,080 hours or longer in aggregate, is continuously
29 subjected to a removal of the authority conferred by the oath of

1 office for less than 2 years.

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

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

9 (11) A license issued under this section is rendered lapsed,
10 without barring further licensure under this act, if 1 or more of
11 the following occur:

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

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

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

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

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

29 (a) The individual obtained the license by making a materially

1 false oral or written statement or committing fraud in an
2 affidavit, disclosure, or application to a law enforcement training
3 academy, the commission, or a law enforcement agency at any stage
4 of recruitment, selection, appointment, enrollment, training, or
5 licensure application.

6 (b) The individual obtained the license because another
7 individual made a materially false oral or written statement or
8 committed fraud in an affidavit, disclosure, or application to a
9 law enforcement training academy, the commission, or a law
10 enforcement agency at any stage of recruitment, selection,
11 appointment, enrollment, training, or licensure application.

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

16 (d) The individual has been subjected to an adjudication of
17 guilt for violation or attempted violation of 1 or more of the
18 following penal laws of this state or laws of another jurisdiction
19 substantially corresponding to the penal laws of this state:

20 (i) Section 625(1) or (8) of the Michigan vehicle code, 1949 PA
21 300, MCL 257.625, if the individual has a prior conviction, as that
22 term is defined in section 625(25)(b) of the Michigan vehicle code,
23 1949 PA 300, MCL 257.625, that occurred within 7 years of the
24 adjudication as described in section 625(9)(b) of the Michigan
25 vehicle code, 1949 PA 300, MCL 257.625.

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

28 (iii) Section 81(4) or 81a or a misdemeanor violation of section
29 411h of the Michigan penal code, 1931 PA 328, MCL 750.81, 750.81a,

1 and 750.411h.

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

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

8 (b) A hearing for license revocation must be conducted as a
9 contested case under the administrative procedures act of 1969,
10 1969 PA 306, MCL 24.201 to 24.328.

11 (c) In lieu of participating in a contested case, an
12 individual may voluntarily and permanently relinquish his or her
13 law enforcement officer license by executing before a notary public
14 an affidavit of license relinquishment prescribed by the
15 commission.

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

19 (e) If the commission issues a final decision or order to
20 revoke a license, that decision or order is subject to judicial
21 review as provided in the administrative procedures act of 1969,
22 1969 PA 306, MCL 24.201 to 24.328. A summary suspension described
23 in this section is not a final decision or order for purposes of
24 judicial review.

25 (14) An individual licensed under this section shall not
26 exercise the law enforcement authority described in the laws of
27 this state under which the individual is employed if any of the
28 following occur:

29 (a) The individual's license is rendered void by a court order

1 or other operation of law.

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

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

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

5 **(e) The individual's license is temporarily suspended in**
 6 **accordance with the rules promulgated under section 9f(2)(c).**

7 Sec. 9b. (1) This section applies only to individuals who are
 8 employed as Michigan tribal law enforcement officers in this state
 9 and are subject to a written instrument authorizing them to enforce
 10 the laws of this state. Conferring authority to enforce the laws of
 11 this state to law enforcement officers to whom this section applies
 12 is subject to the licensing requirements and procedures of this
 13 section and ~~section~~**sections 9e and 9f**. An individual who seeks
 14 admission to a preservice college basic law enforcement training
 15 academy or a regional basic law enforcement training academy or the
 16 recognition of prior basic law enforcement training and experience
 17 program for purposes of licensure under this section shall submit
 18 to fingerprinting as provided in section 11(3).

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

21 (a) Subject to ~~section~~**sections 9e and 9f**, training
 22 requirements that may be met by completing either of the following:

23 (i) Preenrollment requirements, courses of study, attendance
 24 requirements, and instructional hours at an agency basic law
 25 enforcement training academy, a preservice college basic law
 26 enforcement training academy, or a regional basic law enforcement
 27 training academy.

28 (ii) The recognition of prior basic law enforcement training
 29 and experience program for granting a waiver from the licensing

1 standard specified in subparagraph (i).

2 (b) Proficiency on a licensing examination administered after
3 compliance with the licensing standard specified in subdivision
4 (a).

5 (c) Physical ability.

6 (d) Psychological fitness.

7 (e) Education.

8 (f) Reading and writing proficiency.

9 (g) Minimum age.

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

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

15 (j) Whether or not United States citizenship is required for
16 licensure.

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

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

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

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

26 (iii) Execution of a written agreement between the Michigan
27 tribal law enforcement agency with whom the individual is employed
28 and a law enforcement agency, conferring authority upon the
29 individual to enforce the laws of this state.

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

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

7 (3) The licensure process under this section must follow the
8 following procedures:

9 (a) A law enforcement agency or other governmental agency
10 conferring authority upon a Michigan tribal law enforcement officer
11 as provided in this section shall confer the authority to enforce
12 the laws of this state by executing a written instrument as
13 provided in this section.

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

17 (c) Not more than 10 calendar days after the effective date of
18 the written instrument, the law enforcement agency or other
19 governmental agency executing the written instrument shall attest
20 in writing to the commission that the individual to whom the
21 authority was conferred satisfies the licensing standards, by
22 submitting an executed affidavit and a copy of the written
23 instrument.

24 (4) If, upon reviewing the executed affidavit and the written
25 instrument, the commission determines that the individual complies
26 with the licensing standards, the commission shall grant the
27 individual a license.

28 (5) If, upon reviewing the executed affidavit and the written
29 instrument, the commission determines that the individual does not

1 comply with the licensing standards, the commission may do any of
2 the following:

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

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

8 (c) Supervise additional screening, procedures, examinations,
9 testing, and other means used to determine compliance with the
10 licensing standards.

11 (d) Deny the issuance of a license and inform the law
12 enforcement agency or other governmental agency conferring
13 authority to enforce the laws of this state upon an individual to
14 whom this section applies.

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

20 (7) An individual denied a license under this section shall
21 not exercise the law enforcement authority described in a written
22 instrument conferring authority upon the individual to enforce the
23 laws of this state. This subsection does not divest the individual
24 of that authority until the individual has been informed that his
25 or her license was denied.

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

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

1 enforcement agency report to the commission all personnel
2 transactions affecting employment status in a manner prescribed in
3 rules promulgated by the commission.

4 (b) A requirement that the employing Michigan tribal law
5 enforcement agency report to the commission concerning any action
6 it takes that removes the authority conferred by the written
7 instrument conferring authority upon the individual to enforce the
8 laws of this state or that restores the individual's authority to
9 that conferred by the written instrument, in a manner prescribed in
10 rules promulgated by the commission.

11 (c) A requirement that the employing Michigan tribal law
12 enforcement agency maintain an employment history record.

13 (d) A requirement that the employing Michigan tribal law
14 enforcement agency collect, verify, and maintain documentation
15 establishing that the individual complies with the applicable
16 licensing standards.

17 (9) A written instrument conferring authority to enforce the
18 laws of this state upon an individual to whom this section applies
19 must include a requirement that the employing Michigan tribal law
20 enforcement agency report the following regarding an individual
21 licensed under this section:

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

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

1 informed of the imposition of such an order, in a manner prescribed
2 in rules promulgated by the commission.

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

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

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

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

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

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

25 (b) A law enforcement agency or other governmental agency
26 conferring authority to enforce the laws of this state upon an
27 individual to whom this section applies may reactivate a license
28 rendered inactive by complying with the licensure procedures
29 described in subsection (3), excluding verification of and

1 attestation to compliance with the licensing standards described in
2 subsection (2)(a) to (g).

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

5 (11) A license issued under this section is rendered lapsed,
6 without barring further licensure under this act, if 1 or more of
7 the following occur:

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

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

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

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

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

27 (a) The individual obtained the license by making a materially
28 false oral or written statement or committing fraud in an
29 affidavit, disclosure, or application to a law enforcement training

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

4 (b) The individual obtained the license because another
5 individual made a materially false oral or written statement or
6 committed fraud in an affidavit, disclosure, or application to a
7 law enforcement training academy, the commission, or a law
8 enforcement agency at any stage of recruitment, selection,
9 appointment, enrollment, training, or licensure application.

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

14 (d) The individual has been subjected to an adjudication of
15 guilt for violation or attempted violation of 1 or more of the
16 following penal laws of this state or laws of another jurisdiction
17 substantially corresponding to the penal laws of this state:

18 (i) Section 625(1) or (8) of the Michigan vehicle code, 1949 PA
19 300, MCL 257.625, if the individual has a prior conviction, as that
20 term is defined in section 625(25)(b) of the Michigan vehicle code,
21 1949 PA 300, MCL 257.625, that occurred within 7 years of the
22 adjudication as described in section 625(9)(b) of the Michigan
23 vehicle code, 1949 PA 300, MCL 257.625.

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

26 (iii) Section 81(4) or 81a or a misdemeanor violation of section
27 411h of the Michigan penal code, 1931 PA 328, MCL 750.81, 750.81a,
28 and 750.411h.

29 (13) The following procedures and requirements apply to

1 license revocation under this section:

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

6 (b) A hearing for license revocation must be conducted as a
7 contested case under the administrative procedures act of 1969,
8 1969 PA 306, MCL 24.201 to 24.328.

9 (c) In lieu of participating in a contested case, an
10 individual may voluntarily and permanently relinquish his or her
11 law enforcement officer license by executing before a notary public
12 an affidavit of license relinquishment prescribed by the
13 commission.

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

17 (e) If the commission issues a final decision or order to
18 revoke a license, that decision or order is subject to judicial
19 review as provided in the administrative procedures act of 1969,
20 1969 PA 306, MCL 24.201 to 24.328. A summary suspension described
21 in this section is not a final decision or order for purposes of
22 judicial review.

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

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

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

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

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

3 **(e) The individual's license is temporarily suspended in**
 4 **accordance with the rules promulgated under section 9f(2)(c).**

5 Sec. 9c. (1) This section applies only to individuals who are
 6 employed as fire arson investigators from fire departments within
 7 villages, cities, townships, or counties in this state, who are
 8 sworn and fully empowered by the chiefs of police of those
 9 villages, cities, townships, or counties. Conferring authority to
 10 enforce the laws of this state to law enforcement officers to whom
 11 this section applies is subject to the licensing requirements and
 12 procedures of this section and ~~section~~**sections 9e and 9f**. An
 13 individual who seeks admission to a preservice college basic law
 14 enforcement training academy or a regional basic law enforcement
 15 training academy or the recognition of prior basic law enforcement
 16 training and experience program for purposes of licensure under
 17 this section shall submit to fingerprinting as provided in section
 18 11(3).

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

21 (a) Subject to ~~section~~**sections 9e and 9f**, training
 22 requirements that may be met by completing either of the following:

23 (i) Preenrollment requirements, courses of study, attendance
 24 requirements, and instructional hours at an agency basic law
 25 enforcement training academy, a preservice college basic law
 26 enforcement training academy, or a regional basic law enforcement
 27 training academy.

28 (ii) The recognition of prior basic law enforcement training
 29 and experience program for granting a waiver from the licensing

1 standard specified in subparagraph (i).

2 (b) Proficiency on a licensing examination administered after
3 compliance with the licensing standard specified in subdivision
4 (a).

5 (c) Physical ability.

6 (d) Psychological fitness.

7 (e) Education.

8 (f) Reading and writing proficiency.

9 (g) Minimum age.

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

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

15 (j) Whether or not United States citizenship is required for
16 licensure.

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

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

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

28 (3) The licensure process under this section must follow the
29 following procedures:

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

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

6 (c) Not more than 10 calendar days after executing the oath of
7 office, the chief of police shall attest in writing to the
8 commission that the individual to whom the oath was administered
9 satisfies the licensing standards by submitting an executed
10 affidavit and a copy of the executed oath of office.

11 (4) If, upon reviewing the executed affidavit and executed
12 oath of office, the commission determines that the individual
13 complies with the licensing standards, the commission shall grant
14 the individual a license.

15 (5) If, upon reviewing the executed affidavit and executed
16 oath of office, the commission determines that the individual does
17 not comply with the licensing standards, the commission may do any
18 of the following:

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

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

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

27 (d) Deny the issuance of a license and inform the chief of
28 police.

29 (6) Upon being informed that the commission has denied

1 issuance of a license, the chief of police shall promptly inform
2 the individual whose licensure was denied.

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

8 (8) A chief of police who has administered an oath of office
9 to an individual under this section shall do all of the following,
10 with respect to that individual:

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

14 (b) Report to the commission concerning any action taken by
15 the chief of police that removes the authority conferred by the
16 oath of office, or that restores the individual's authority to that
17 conferred by the oath of office, in a manner prescribed in rules
18 promulgated by the commission.

19 (c) Maintain an employment history record.

20 (d) Collect, verify, and maintain documentation establishing
21 that the individual complies with the applicable licensing
22 standards.

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

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

29 (b) Imposition of a personal protection order against that

1 individual after a judicial hearing under section 2950 or 2950a of
2 the revised judicature act of 1961, 1961 PA 236, MCL 600.2950 and
3 600.2950a, or under the laws of any other jurisdiction, upon being
4 informed of the imposition of such an order, in a manner prescribed
5 in rules promulgated by the commission.

6 (10) A license issued under this section is rendered lapsed,
7 without barring further licensure under this act, if 1 or both of
8 the following occur:

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

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

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

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

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

1 appointment, enrollment, training, or licensure application.

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

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

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

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

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

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

23 (a) The commission shall initiate license revocation
24 proceedings, including, but not limited to, issuance of an order of
25 summary suspension and notice of intent to revoke, upon obtaining
26 notice of facts warranting license 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, an
2 individual may voluntarily and permanently relinquish his or her
3 law enforcement officer license by executing before a notary public
4 an affidavit of license relinquishment prescribed by the
5 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 (13) An individual licensed under this section shall not
16 exercise the law enforcement authority described in the oath of
17 office if any of the following occur:

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

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

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

22 **(d) The individual's license is temporarily suspended in**
23 **accordance with the rules promulgated under section 9f(2)(c).**

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

26 (a) Are employed as private college security officers under
27 section 37 of the private security business and security alarm act,
28 1968 PA 330, MCL 338.1087.

29 (b) Seek licensure under this act.

1 (c) Are sworn and fully empowered by a chief of police of a
 2 village, city, or township law enforcement agency, or are deputized
 3 by a county sheriff as a deputy sheriff, excluding deputation as a
 4 special deputy.

5 (2) The authority to enforce the laws of this state of private
 6 college security officers to whom this section applies is subject
 7 to the licensing requirements and procedures of this section and
 8 ~~section~~**sections 9e and 9f**. An individual who seeks admission to a
 9 preservice college basic law enforcement training academy or a
 10 regional basic law enforcement training academy or the recognition
 11 of prior basic law enforcement training and experience program for
 12 purposes of licensure under this section shall submit to
 13 fingerprinting as provided in section 11(3).

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

16 (a) Subject to ~~section~~**sections 9e and 9f**, training
 17 requirements that may be met by completing either of the following:

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

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

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

28 (a).

29 (c) Physical ability.

1 (d) Psychological fitness.

2 (e) Education.

3 (f) Reading and writing proficiency.

4 (g) Minimum age.

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

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

10 (j) Whether or not United States citizenship is required for
11 licensure.

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

18 (l) The form and manner for execution of a written oath of
19 office by the chief of police of a village, city, or township law
20 enforcement agency, or by a county sheriff, and the content of the
21 written oath conferring the authority to enforce the general
22 criminal laws of this state.

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

26 (4) The licensure process under this section must follow the
27 following procedures:

28 (a) Before executing the oath of office, the chief of police
29 of a village, city, or township law enforcement agency or the

1 county sheriff shall verify that the private college security
2 officer to whom the oath is administered complies with the
3 licensing standards.

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

8 (c) Not more than 10 calendar days after executing the oath of
9 office, the chief of police of a village, city, or township law
10 enforcement agency or the county sheriff shall attest in writing to
11 the commission that the private college security officer to whom
12 the oath was administered satisfies the licensing standards by
13 submitting an executed affidavit and a copy of the executed oath of
14 office.

15 (5) If upon reviewing the executed affidavit and oath of
16 office the commission determines that the private college security
17 officer complies with the licensing standards, the commission shall
18 grant the private college security officer a license.

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

23 (a) Supervise remediation of errors or omissions in the
24 affidavit or oath of office.

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

28 (c) Supervise additional screening, procedures, examinations,
29 testing, and other means used to determine compliance with the

1 licensing standards.

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

5 (7) Upon being informed that the commission has denied
6 issuance of a license, the chief of police of a village, city, or
7 township law enforcement agency or the county sheriff shall
8 promptly inform the private college security officer seeking
9 licensure that he or she has been denied issuance of a license
10 under this section.

11 (8) A private college security officer denied a license under
12 this section may not exercise the law enforcement authority
13 described in the oath of office. This subsection does not divest
14 the private college security officer of that authority until the
15 private college security officer has been informed that his or her
16 licensure was denied.

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

22 (a) Report to the commission concerning all personnel
23 transactions affecting employment status, in a manner prescribed in
24 rules promulgated by the commission.

25 (b) Report to the commission concerning any action taken by
26 the chief of police of a village, city, or township law enforcement
27 agency or the county sheriff that removes the authority conferred
28 by the oath of office or that restores the private college security
29 officer's authority conferred by the oath of office, in a manner

1 prescribed in rules promulgated by the commission.

2 (c) Maintain an employment history record.

3 (d) Collect, verify, and maintain documentation establishing
4 that the private college security officer complies with the
5 applicable licensing standards.

6 (10) If a private college or university appoints an individual
7 as a private college security officer under section 37 of the
8 private security business and security alarm act, 1968 PA 330, MCL
9 338.1087, and the private college security officer is licensed
10 under this section, the private college or university, with respect
11 to the private college security officer, shall do all of the
12 following:

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

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

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

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

27 (b) The imposition of a personal protection order against the
28 private college security officer after a judicial hearing under
29 section 2950 or 2950a of the revised judicature act of 1961, 1961

1 PA 236, MCL 600.2950 and 600.2950a, or under the law of any other
2 jurisdiction, upon being informed of the imposition of such an
3 order, in a manner prescribed in rules promulgated by the
4 commission.

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

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

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

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

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

27 (b) The private college security officer obtained the license
28 because another person made a materially false oral or written
29 statement or committed fraud in the affidavit, disclosure, or

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

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

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

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

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

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

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

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

1 revocation.

2 (b) A hearing for license revocation must be conducted as a
3 contested case under the administrative procedures act of 1969,
4 1969 PA 306, MCL 24.201 to 24.328.

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

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

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

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

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

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

26 (c) The private college security officer's license is rendered
27 lapsed.

28 **(d) The private college security officer's license is**
29 **temporarily suspended in accordance with the rules promulgated**

1 under section 9f(2)(c).

2 Sec. 9f. (1) Both of the following must complete mental health
3 first aid training:

4 (a) Beginning January 1, 2022, an individual who is seeking to
5 become licensed as a law enforcement officer under section 9, 9b,
6 9c, or 9d.

7 (b) A law enforcement officer who is licensed under section 9,
8 9b, 9c, or 9d on December 31, 2021.

9 (2) The commission shall promulgate rules establishing the
10 minimum standards for the mental health first aid training required
11 under subsection (1). The rules promulgated pursuant to this
12 subsection must provide for all of the following:

13 (a) Continuing education on mental health first aid for law
14 enforcement officers licensed under this act.

15 (b) At least 10 hours a year of mental health first aid
16 training for law enforcement officers licensed under this act.

17 (c) Temporary suspension of the license of a law enforcement
18 officer that fails to comply with this section.

19 (3) As used in this section:

20 (a) "Mental health first aid training" means a training that
21 teaches an individual how to identify, understand, and respond to
22 signs of mental illness and substance use disorders. Mental health
23 first aid training also equips an individual with the skills needed
24 to reach out and provide initial help and support to another
25 individual who may be developing a mental health or substance use
26 problem or experiencing a crisis. For purposes of this section,
27 mental health first aid training includes training on self-care
28 techniques.

29 (b) "Training on self-care techniques" means a training that

1 teaches an individual how to maintain a state of good mental and
2 physical health in order to reduce stress, meet emotional needs,
3 maintain relationships, both romantic and platonic, and find a
4 balance between the individual's personal, academic, or
5 professional life.