

HOUSE BILL NO. 5132

June 24, 2021, Introduced by Rep. Beson 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, and 9d (MCL 28.609, 28.609b, 28.609c, and 28.609d), as amended by 2018 PA 552.

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
4 applies is subject to the licensing requirements and procedures of

1 this section and section 9e. ~~An~~ **Both of the following apply to an**
2 individual who seeks admission to a preservice college basic law
3 enforcement training academy or a regional basic law enforcement
4 training academy or the recognition of prior basic law enforcement
5 training and experience program for purposes of licensure under
6 this section:

7 **(a) The individual** shall submit to fingerprinting as provided
8 in section 11(3).

9 **(b) Beginning on the effective date of the amendatory act that**
10 **added this subdivision, the commission shall not require the**
11 **individual to have an education level that is greater than a GED.**

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

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

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

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

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

1 (a).

2 (c) Physical ability.

3 (d) Psychological fitness.

4 (e) Education.

5 (f) Reading and writing proficiency.

6 (g) Minimum age.

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

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

12 (j) Whether or not United States citizenship is required for
13 licensure.

14 (k) Employment as a law enforcement officer.

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

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

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

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

28 (b) A law enforcement agency employing an individual licensed
29 under this section authorizes the individual to exercise the law

1 enforcement authority described in the laws of this state under
2 which the individual is employed, by executing a written oath of
3 office.

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

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

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

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

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

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

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

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

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

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

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 commission concerning any action taken by
13 the employing agency that removes the authority conferred by the
14 oath of office, or that restores the individual's authority to that
15 conferred by the oath of office, in a manner prescribed in rules
16 promulgated by the commission.

17 (c) Maintain an employment history record.

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

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

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 for fewer than 2,080 hours in aggregate, 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 for fewer than 2,080 hours in aggregate, is thereafter
13 continuously subjected to a removal of the authority conferred by
14 the oath of office for less than 1 year.

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

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

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

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

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

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

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

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

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

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 the laws of
19 this state under which the individual is employed if any of the
20 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 **(15) As used in this section and sections 9b, 9c, and 9d,**
27 **"GED" means the general education development certificate or its**
28 **equivalent.**

29 Sec. 9b. (1) This section applies only to individuals who are

1 employed as Michigan tribal law enforcement officers in this state
2 and are subject to a written instrument authorizing them to enforce
3 the laws of this state. Conferring authority to enforce the laws of
4 this state to law enforcement officers to whom this section applies
5 is subject to the licensing requirements and procedures of this
6 section and section 9e. ~~An~~ **Both of the following apply to an**
7 individual who seeks admission to a preservice college basic law
8 enforcement training academy or a regional basic law enforcement
9 training academy or the recognition of prior basic law enforcement
10 training and experience program for purposes of licensure under
11 this section:

12 **(a) The individual** shall submit to fingerprinting as provided
13 in section 11(3).

14 **(b) Beginning on the effective date of the amendatory act that**
15 **added this subdivision, the commission shall not require the**
16 **individual to have an education level that is greater than a GED.**

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

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

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

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

29 (b) Proficiency on a licensing examination administered after

1 compliance with the licensing standard specified in subdivision
2 (a).

3 (c) Physical ability.

4 (d) Psychological fitness.

5 (e) Education.

6 (f) Reading and writing proficiency.

7 (g) Minimum age.

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

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

13 (j) Whether or not United States citizenship is required for
14 licensure.

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

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

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

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

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

28 (iv) Execution of a written agreement between this state, or a
29 subdivision of this state, and the United States, conferring

1 authority upon the individual to enforce the laws of this state.

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

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

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

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

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

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

26 (5) If, upon reviewing the executed affidavit and the written
27 instrument, the commission determines that the individual does not
28 comply with the licensing standards, the commission may do any of
29 the following:

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

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

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

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

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

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

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

27 (a) A requirement that the employing Michigan tribal law
28 enforcement agency report to the commission all personnel
29 transactions affecting employment status in a manner prescribed in

1 rules promulgated by the commission.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 licensure application.

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

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

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

16 (i) Section 625(1) or (8) of the Michigan vehicle code, 1949 PA
17 300, MCL 257.625, if the individual has a prior conviction, as that
18 term is defined in section 625(25)(b) of the Michigan vehicle code,
19 1949 PA 300, MCL 257.625, that occurred within 7 years of the
20 adjudication as described in section 625(9)(b) of the Michigan
21 vehicle code, 1949 PA 300, MCL 257.625.

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

24 (iii) Section 81(4) or 81a or a misdemeanor violation of section
25 411h of the Michigan penal code, 1931 PA 328, MCL 750.81, 750.81a,
26 and 750.411h.

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

29 (a) The commission shall initiate license revocation

1 proceedings, including, but not limited to, the issuance of an
2 order of summary suspension and notice of intent to revoke, upon
3 obtaining notice of facts warranting license revocation.

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

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

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

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

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

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

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

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

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

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

14 **(a) The individual** shall submit to fingerprinting as provided
15 in section 11(3).

16 **(b) Beginning on the effective date of the amendatory act that**
17 **added this subdivision, the commission shall not require the**
18 **individual to have an education level that is greater than a GED.**

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

21 (a) Subject to section 9e, training requirements that may be
22 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 Sec. 9d. (1) This section applies only to individuals who meet
23 all of the following conditions:

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

27 (b) Seek licensure under this act.

28 (c) Are sworn and fully empowered by a chief of police of a
29 village, city, or township law enforcement agency, or are deputized

1 by a county sheriff as a deputy sheriff, excluding deputation as a
2 special deputy.

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

12 (a) **The individual shall** submit to fingerprinting as provided
13 in section 11(3).

14 (b) **Beginning on the effective date of the amendatory act that**
15 **added this subdivision, the commission shall not require the**
16 **individual to have an education level that is greater than a GED.**

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

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

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

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

29 (b) Proficiency on a licensing examination administered after

1 compliance with the licensing standard specified in subdivision
2 (a).

3 (c) Physical ability.

4 (d) Psychological fitness.

5 (e) Education.

6 (f) Reading and writing proficiency.

7 (g) Minimum age.

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

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

13 (j) Whether or not United States citizenship is required for
14 licensure.

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

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

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

29 (4) The licensure process under this section must follow the

1 following procedures:

2 (a) Before executing the oath of office, the chief of police
3 of a village, city, or township law enforcement agency or the
4 county sheriff shall verify that the private college security
5 officer to whom the oath is administered complies with the
6 licensing standards.

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

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

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

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

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

28 (b) Supervise the remediation of errors or omissions in the
29 screening, procedures, examinations, testing, and other means used

1 to verify compliance with the licensing standards.

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

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

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

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

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

25 (a) Report to the commission concerning all personnel
26 transactions affecting employment status, in a manner prescribed in
27 rules promulgated by the commission.

28 (b) Report to the commission concerning any action taken by
29 the chief of police of a village, city, or township law enforcement

1 agency or the county sheriff that removes the authority conferred
2 by the oath of office or that restores the private college security
3 officer's authority conferred by the oath of office, in a manner
4 prescribed in rules promulgated by the commission.

5 (c) Maintain an employment history record.

6 (d) Collect, verify, and maintain documentation establishing
7 that the private college security officer complies with the
8 applicable licensing standards.

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

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

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

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

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

1 (b) The imposition of a personal protection order against the
2 private college security officer after a judicial hearing under
3 section 2950 or 2950a of the revised judicature act of 1961, 1961
4 PA 236, MCL 600.2950 and 600.2950a, or under the law of any other
5 jurisdiction, upon being informed of the imposition of such an
6 order, in a manner prescribed in rules promulgated by the
7 commission.

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

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

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

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

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

1 (b) The private college security officer obtained the license
2 because another person made a materially false oral or written
3 statement or committed fraud in the affidavit, disclosure, or
4 application to a law enforcement training academy, the commission,
5 or a law enforcement agency at any stage of recruitment, selection,
6 appointment, enrollment, training, or licensure application.

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

11 (d) The private college security officer has been subjected to
12 an adjudication of guilt for a violation or attempted violation of
13 1 or more of the following penal laws of this state or another
14 jurisdiction substantially corresponding to the penal laws of this
15 state:

16 (i) Section 625(1) or (8) of the Michigan vehicle code, 1949 PA
17 300, MCL 257.625, if the individual has a prior conviction, as that
18 term is defined in section 625(25)(b) of the Michigan vehicle code,
19 1949 PA 300, MCL 257.625, that occurred within 7 years of the
20 adjudication as described in section 625(9)(b) of the Michigan
21 vehicle code, 1949 PA 300, MCL 257.625.

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

24 (iii) Section 81(4) or 81a or a misdemeanor violation of section
25 411h of the Michigan penal code, 1931 PA 328, MCL 750.81, 750.81a,
26 and 750.411h.

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

29 (a) The commission shall initiate license revocation

1 proceedings, including, but not limited to, the issuance of an
2 order for summary suspension and notice of intent to revoke a
3 license upon obtaining notice of facts warranting license
4 revocation.

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

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

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

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

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

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

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

29 (c) The private college security officer's license is rendered

1 lapsed.