

HOUSE BILL NO. 5750

May 30, 2024, Introduced by Reps. Tyrone Carter, Hoskins, Brabec, Wilson, Young, Grant, Dievendorf, Pohutsky, MacDonell, Wegela, Brixie, Liberati, Tsernoglou, Haadsma, Roth, Farhat, Hope, Scott, Snyder and Aiyash and referred to the Committee on Criminal Justice.

A bill to amend 1965 PA 203, entitled
"Michigan commission on law enforcement standards act,"
by amending section 11 (MCL 28.611), as amended by 2017 PA 198.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 11. (1) The commission may do 1 or more of the following:
2 (a) Enter into agreements with colleges, universities,
3 governmental agencies, and private entities to carry out the intent
4 of this act.
5 (b) Issue certificates of approval to agency basic law

1 enforcement training academies, preservice college basic law
2 enforcement training academies, and regional basic law enforcement
3 training academies.

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

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

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

16 (f) Require a licensing examination.

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

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

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

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

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

3 (b) The establishment and approval of agency basic law
4 enforcement training academies, preservice college basic law
5 enforcement training academies, and regional basic law enforcement
6 training academies.

7 (c) The minimum qualifications for instructors for approved
8 agency basic law enforcement training academies, preservice college
9 basic law enforcement training academies, and regional basic law
10 enforcement training academies.

11 (d) The minimum facilities and equipment for agency basic law
12 enforcement training academies, preservice college basic law
13 enforcement training academies, and regional basic law enforcement
14 training academies.

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

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

27 (4) The department of state police shall conduct a criminal
28 history record information check on each individual described under
29 subsection (3) through its own records and through the Federal

1 Bureau of Investigation. After the completion of each criminal
2 history record information check, the department of state police
3 shall provide the criminal history record information to the
4 commission.

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

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

1 (7) Beginning 90 days after the effective date of the
2 amendatory act that added this subsection, the commission shall
3 assign a unique identifier to an individual who is licensed or
4 applies for a license under this act. A unique identifier assigned
5 in accordance with this subsection may be used by an individual
6 described under this subsection to track the individual's status
7 beginning from the license application through the individual's
8 career as a law enforcement officer.

9 (8) ~~(7)~~—The law enforcement officers training fund is created
10 within the state treasury.

11 (9) ~~(8)~~—The state treasurer may receive money or other assets
12 from any source for deposit into the fund. The state treasurer
13 shall direct investment of the fund. The state treasurer shall
14 credit to the fund interest and earnings from fund investments.

15 (10) ~~(9)~~—Money in the fund at the close of the fiscal year
16 ~~shall—must~~ remain in the fund, ~~shall—must~~ not lapse into the
17 general fund, and may be used by the commission, upon
18 appropriation, in future fiscal years as prescribed in this
19 section.

20 (11) ~~(10)~~—The commission ~~shall be~~ **is** the administrator of the
21 fund for auditing purposes.

22 (12) ~~(11)~~—The commission shall expend money from the fund,
23 upon appropriation, to carry out its responsibilities under this
24 act.