

SUBSTITUTE FOR  
SENATE BILL NO. 959

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 2017 PA 198, and by adding  
section 9e.

**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  
5 this section **AND SECTION 9E**. An individual who seeks admission to a  
6 preservice college basic law enforcement training academy or a  
7 regional basic law enforcement training academy or the recognition  
8 of prior basic law enforcement training and experience program for

1 purposes of licensure under this section shall submit to  
2 fingerprinting as provided in section 11(3).

3 (2) The commission shall promulgate rules governing licensing  
4 standards and procedures for individuals licensed under this  
5 section. In promulgating the rules, the commission shall give  
6 consideration to the varying factors and special requirements of  
7 law enforcement agencies. Rules promulgated under this subsection  
8 ~~shall~~ **MUST** pertain to the following:

9 (a) ~~Training~~ **SUBJECT TO SECTION 9E, TRAINING** requirements that  
10 may be met by completing either of the following:

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

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

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

21 (a).

22 (c) Physical ability.

23 (d) Psychological fitness.

24 (e) Education.

25 (f) Reading and writing proficiency.

26 (g) Minimum age.

27 (h) Whether or not a valid operator's or chauffeur's license

1 is required for licensure.

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

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

7 (k) Employment as a law enforcement officer.

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

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

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

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

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

26 (c) Not more than 10 calendar days after executing the oath of  
27 office, the employing law enforcement agency shall attest in

1 writing to the commission that the individual to whom the oath was  
2 administered satisfies the licensing standards by submitting an  
3 executed affidavit and a copy of the executed oath of office.

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

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

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

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

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

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

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

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

1 does not divest the individual of that authority until the  
2 individual has been informed that his or her licensure was denied.

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

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

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

14 (c) Maintain an employment history record.

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

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

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

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

1 in rules promulgated by the commission.

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

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

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

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

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

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

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

27 (c) A license that has been reactivated under this section is

1 valid for all purposes described in this act.

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

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

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

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

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

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

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

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

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

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

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

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

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

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



1 (a) The commission shall initiate license revocation  
2 proceedings, including, but not limited to, the issuance of an  
3 order of summary suspension and notice of intent to revoke, upon  
4 obtaining notice of facts warranting license 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, an  
9 individual may voluntarily and permanently relinquish his or her  
10 law enforcement officer license by executing before a notary public  
11 an affidavit of license relinquishment prescribed by the  
12 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 (14) An individual licensed under this section shall not  
23 exercise the law enforcement authority described in the laws of  
24 this state under which the individual is employed if any of the  
25 following occur:

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

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

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

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

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

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

18 (a) ~~Training~~**SUBJECT TO SECTION 9E, TRAINING** requirements that  
19 may be 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).

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

4 (c) Physical ability.

5 (d) Psychological fitness.

6 (e) Education.

7 (f) Reading and writing proficiency.

8 (g) Minimum age.

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

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

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

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

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

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

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

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

1 individual to enforce the laws of this state.

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

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

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

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

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

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

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

1 individual a license.

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

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

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

11 (c) Supervise additional screening, procedures, examinations,  
12 testing, and other means used to determine compliance with the  
13 licensing standards.

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

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

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

1 or her license was denied.

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

5 (a) A requirement that the employing Michigan tribal law  
6 enforcement agency report to the commission all personnel  
7 transactions affecting employment status in a manner prescribed in  
8 rules promulgated by the commission.

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

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

18 (d) A requirement that the employing Michigan tribal law  
19 enforcement agency collect, verify, and maintain documentation  
20 establishing that the individual complies with the applicable  
21 licensing standards.

22 (9) A written instrument conferring authority to enforce the  
23 laws of this state upon an individual to whom this section applies  
24 must include a requirement that the employing Michigan tribal law  
25 enforcement agency report the following regarding an individual  
26 licensed under this section:

27 (a) Criminal charges for offenses for which that individual's

1 license may be revoked as described in this section, upon being  
2 informed of such charges, in a manner prescribed in rules  
3 promulgated by the commission.

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

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

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

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

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

23 (iii) An individual, having been employed as a law enforcement  
24 officer in aggregate for 2,080 hours or longer, 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

1 officer in aggregate for 2,080 hours or longer, is continuously  
2 subjected to a removal of the authority conferred by the written  
3 instrument authorizing the individual to enforce the laws of this  
4 state for less than 2 years.

5 (b) A law enforcement agency or other governmental agency  
6 conferring authority to enforce the laws of this state upon an  
7 individual to whom this section applies may reactivate a license  
8 rendered inactive by complying with the licensure procedures  
9 described in subsection (3), excluding verification of and  
10 attestation to compliance with the licensing standards described in  
11 subsection (2)(a) to (g).

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

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

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

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

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



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

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

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

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

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

25 (d) The individual has been subjected to an adjudication of  
26 guilt for violation or attempted violation of 1 or more of the  
27 following penal laws of this state or laws of another jurisdiction

1 substantially corresponding to the penal laws of this state:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

18 Sec. 9c. (1) This section applies only to individuals who are  
19 employed as fire arson investigators from fire departments within  
20 villages, cities, townships, or counties in this state, who are  
21 sworn and fully empowered by the chiefs of police of those  
22 villages, cities, townships, or counties. Conferring authority to  
23 enforce the laws of this state to law enforcement officers to whom  
24 this section applies is subject to the licensing requirements and  
25 procedures of this section **AND SECTION 9E**. An individual who seeks  
26 admission to a preservice college basic law enforcement training  
27 academy or a regional basic law enforcement training academy or the

1 recognition of prior basic law enforcement training and experience  
2 program for purposes of licensure under this section shall submit  
3 to fingerprinting as provided in section 11(3).

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

6 (a) ~~Training~~**SUBJECT TO SECTION 9E, TRAINING** requirements that  
7 may be met by completing either of the following:

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

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

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

18 (a).

19 (c) Physical ability.

20 (d) Psychological fitness.

21 (e) Education.

22 (f) Reading and writing proficiency.

23 (g) Minimum age.

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

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

1 executed by the individual for whom licensure is sought.

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

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

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

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

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

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

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

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

27 (4) If, upon reviewing the executed affidavit and executed

1 oath of office, the commission determines that the individual  
2 complies with the licensing standards, the commission shall grant  
3 the individual a license.

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

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

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

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

16 (d) Deny the issuance of a license and inform the chief of  
17 police.

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

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

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

1 with respect to that individual:

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

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

10 (c) Maintain an employment history record.

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

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

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

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

26 (10) A license issued under this section is rendered lapsed,  
27 without barring further licensure under this act, if 1 or both of

1 the following occur:

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

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

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

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

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

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



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

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

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

13 (iii) Section 81(4) or 81a or a misdemeanor violation of  
14 section 411h of the Michigan penal code, 1931 PA 328, MCL 750.81,  
15 750.81a, and 750.411h.

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

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

22 (b) A hearing for license revocation must be conducted as a  
23 contested case under the administrative procedures act of 1969,  
24 1969 PA 306, MCL 24.201 to 24.328.

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

1 an affidavit of license relinquishment prescribed by the  
2 commission.

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

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

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

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

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

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

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

21 (a) Are employed as private college security officers under  
22 section 37 of the private security business and security alarm act,  
23 1968 PA 330, MCL 338.1087.

24 (b) Seek licensure under this act.

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

1 special deputy.

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

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

13 (a) ~~Training~~ **SUBJECT TO SECTION 9E, TRAINING** requirements that  
14 may be met by completing either of the following:

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

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

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

25 (a).

26 (c) Physical ability.

27 (d) Psychological fitness.

1 (e) Education.

2 (f) Reading and writing proficiency.

3 (g) Minimum age.

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

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

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

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

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

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

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

27 (a) Before executing the oath of office, the chief of police

1 of a village, city, or township law enforcement agency or the  
2 county sheriff shall verify that the private college security  
3 officer to whom the oath is administered complies with the  
4 licensing standards.

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

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

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

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

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

26 (b) Supervise the remediation of errors or omissions in the  
27 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.

1 (b) Report to the commission concerning any action taken by  
2 the chief of police of a village, city, or township law enforcement  
3 agency or the county sheriff that removes the authority conferred  
4 by the oath of office or that restores the private college security  
5 officer's authority conferred by the oath of office, in a manner  
6 prescribed in rules promulgated by the commission.

7 (c) Maintain an employment history record.

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

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

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

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

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

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

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

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

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

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

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



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

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

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

17           (d) The private college security officer has been subjected to  
18 an adjudication of guilt for a violation or attempted violation of  
19 1 or more of the following penal laws of this state or another  
20 jurisdiction substantially corresponding to the penal laws of this  
21 state:

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

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

3           (iii) Section 81(4) or 81a or a misdemeanor violation of  
4 section 411h of the Michigan penal code, 1931 PA 328, MCL 750.81,  
5 750.81a, and 750.411h.

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

8           (a) The commission shall initiate license revocation  
9 proceedings, including, but not limited to, the issuance of an  
10 order for summary suspension and notice of intent to revoke a  
11 license upon obtaining notice of facts warranting license  
12 revocation.

13           (b) A hearing for license revocation must be conducted as a  
14 contested case under the administrative procedures act of 1969,  
15 1969 PA 306, MCL 24.201 to 24.328.

16           (c) In lieu of participating in a contested case, a private  
17 security college officer may voluntarily and permanently relinquish  
18 his or her law enforcement officer license under this section by  
19 executing before a notary public an affidavit of license  
20 relinquishment as prescribed by the commission.

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

24           (e) If the commission issues a final decision or order to  
25 revoke a license, that decision or order is subject to judicial  
26 review as provided in the administrative procedures act of 1969,  
27 1969 PA 306, MCL 24.201 to 24.328. A summary suspension described

1 in this section is not a final decision or order for purposes of  
2 judicial review.

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

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

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

10 (c) The private college security officer's license is rendered  
11 lapsed.

12 **SEC. 9E. (1) BEGINNING JANUARY 1, 2020, AN INDIVIDUAL SEEKING**  
13 **TO BECOME LICENSED UNDER SECTION 9, 9B, 9C, OR 9D SHALL COMPLETE**  
14 **ACTIVE VIOLENCE RESPONSE TRAINING THAT EMPHASIZES COORDINATED**  
15 **TACTICAL RESPONSE TO RAPIDLY DEVELOPING INCIDENTS IN WHICH**  
16 **INTENTIONAL PHYSICAL INJURY OR DEATH TO A SPECIFIC POPULATION**  
17 **OCCURS THROUGH THE USE OF CONVENTIONAL OR UNCONVENTIONAL WEAPONS**  
18 **AND TACTICS.**

19 **(2) THE COMMISSION SHALL PROMULGATE RULES ESTABLISHING THE**  
20 **MINIMUM STANDARDS FOR THE ACTIVE VIOLENCE RESPONSE TRAINING**  
21 **REQUIRED UNDER SUBSECTION (1).**

22 **(3) BEGINNING JANUARY 1, 2020, AN INDIVIDUAL WHO IS LICENSED**  
23 **UNDER SECTION 9, 9B, 9C, OR 9D SHALL COMPLETE THE ACTIVE VIOLENCE**  
24 **RESPONSE TRAINING DESCRIBED UNDER SUBSECTION (1).**

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