

SUBSTITUTE FOR  
HOUSE BILL NO. 5590

A bill to amend 1968 PA 330, entitled  
"Private security business and security alarm act,"  
by amending section 6 (MCL 338.1056), as amended by 2002 PA 473.

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

1           Sec. 6. (1) The department shall issue a license to conduct  
2 business as a security alarm system contractor or a private  
3 security guard, private security police, or to a private security  
4 guard business, if it is satisfied that the applicant, ~~is a sole~~  
5 ~~proprietorship, or if a firm, partnership, company, limited~~  
6 ~~liability company, or corporation the sole or principal license~~  
7 ~~holder~~ **IF THE APPLICANT** is an individual, ~~who~~ **OR THE INDIVIDUAL WHO**  
8 **IS THE SOLE OR PRINCIPAL LICENSE HOLDER OF THE APPLICANT IF THE**  
9 **APPLICANT IS NOT AN INDIVIDUAL**, meets all of the following

## House Bill No. 5590 as amended December 4, 2012

1 qualifications:

2 (a) Is not less than ~~<<25-21>>~~ years of age. **HOWEVER, THIS**  
3 **SUBDIVISION DOES NOT APPLY TO AN APPLICANT DESCRIBED IN SUBDIVISION**  
4 **(G) (v) .**

5 (b) Has a high school education or its equivalent.

6 ~~In the case of a licensee under this section~~ **IF THE**  
7 **APPLICANT'S LICENSE IS ISSUED** after March 28, 2001, has not been  
8 ~~under any sentence, including parole, probation, or actual~~  
9 ~~incarceration, for the commission~~ **CONVICTED** of a felony.

10 ~~In the case of a person licensed under this section~~ **IF THE**  
11 **APPLICANT'S LICENSE WAS ISSUED** on or before March 28, 2001, ~~has not~~  
12 ~~been under any sentence, including parole, probation, or actual~~  
13 ~~incarceration, for the commission~~ **WAS NOT CONVICTED** of a felony  
14 ~~within 5 years before~~ **IN THE 5-YEAR PERIOD PRECEDING** the date of  
15 application.

16 (e) ~~Has~~ **WAS** not ~~been~~ convicted of an offense listed in section  
17 10(1)(c) ~~within 5 years before~~ **IN THE 5-YEAR PERIOD PRECEDING** the  
18 date of application.

19 (f) Has not been dishonorably discharged from a branch of the  
20 United States military service.

21 (g) ~~In the case of an~~ **IF THE** applicant **IS APPLYING** for a  
22 private security guard or agency license, ~~has been lawfully engaged~~  
23 ~~in 1 or more~~ **MEETS ANY** of the following:

24 (i) ~~In~~ **WAS ENGAGED IN** the private security guard or agency  
25 business on his or her own account in another state for a period of  
26 ~~not less than~~ **AT LEAST** 3 years.

27 (ii) ~~In~~ **WAS ENGAGED IN** the private security guard or agency

1 business for a period of ~~not less than~~ **AT LEAST** 4 years as an  
2 employee of the holder of a certificate of authority to conduct a  
3 private security guard or agency business and has ~~had~~ experience  
4 reasonably equivalent to ~~not less than~~ **AT LEAST** 4 years of full-  
5 time guard work in a supervisory capacity with rank above that of  
6 patrolman.

7 (iii) ~~In~~ **WAS EMPLOYED IN** law enforcement ~~employment~~ as a  
8 certified police officer on a full-time basis for ~~not less than~~ **AT**  
9 **LEAST** 4 years for a city, county, or state government ~~,~~ or for the  
10 United States government.

11 (iv) ~~In~~ **WAS ENGAGED IN** the private security guard or agency  
12 business as an employee or on his or her own account or as a  
13 security administrator in private business for ~~not less than~~ **AT**  
14 **LEAST** 2 years on a full-time basis, and is a graduate with a  
15 baccalaureate degree or its equivalent in the field of police  
16 administration or industrial security from an accredited college or  
17 university.

18 (v) **WHILE ON ACTIVE DUTY AS A MEMBER OF THE ARMED FORCES,**  
19 **SERVED AS A MILITARY POLICE OFFICER OR IN AN EQUIVALENT JOB**  
20 **CLASSIFICATION FOR AT LEAST 2 YEARS; WAS HONORABLY DISCHARGED FROM**  
21 **THAT MILITARY SERVICE; AND HAS, AND PROVIDES WITH HIS OR HER**  
22 **APPLICATION AN AFFIDAVIT SIGNED BY A COMMANDING OFFICER,**  
23 **SUPERVISOR, OR MILITARY SUPERIOR WITH DIRECT KNOWLEDGE OF THE**  
24 **APPLICANT'S SERVICE THAT HE OR SHE HAS, ENTRY-LEVEL EXPERIENCE IN**  
25 **OR BASIC KNOWLEDGE OF EACH OF THE FOLLOWING:**

26 (A) **ENFORCING RULES, REGULATIONS, AND GUIDELINES.**

27 (B) **PROVIDING SECURITY AND PHYSICAL PROTECTION.**

1 (C) AREA AND SITE SECURITY OPERATIONS.

2 (D) OVERSEEING PRISONERS AND CORRECTIONAL FACILITIES.

3 (E) RECONNAISSANCE AND SURVEILLANCE.

4 (h) ~~In the case of an~~ **IF THE** applicant **IS APPLYING** for a  
5 security alarm system contractor license, has been lawfully engaged  
6 in either or both of the following:

7 (i) ~~The~~ **A** security alarm system contractor business on his or  
8 her own account for a period of not less than 3 years.

9 (ii) ~~The~~ **A** security alarm system contractor business for a  
10 period of not less than 4 years as an employee of the holder of a  
11 certificate of authority to conduct a security alarm system  
12 contractor business, and has ~~had~~ experience reasonably equivalent  
13 to at least 4 years of full-time work in a supervisory capacity or  
14 passes a written exam administered by the department designed to  
15 measure his or her knowledge and training in security alarm  
16 systems.

17 (i) ~~Has posted with~~ **PROVIDED** the department ~~a~~ **THE** bond  
18 ~~provided for in this act.~~ **OR SURETY REQUIRED UNDER SECTION 9.**

19 (j) Has not been adjudged insane, unless **HE OR SHE HAS BEEN**  
20 **ADJUDGED** restored to sanity by court order.

21 (k) ~~Does not have~~ **IS NOT SUBJECT TO** any outstanding warrants  
22 for his or her arrest.

23 (2) ~~In the case of a sole proprietorship, firm, partnership,~~  
24 ~~company, or corporation~~ **IF A PERSON** now doing or seeking to do  
25 business in this state **IS APPLYING FOR A LICENSE UNDER THIS**  
26 **SECTION**, the resident manager shall comply with the applicable  
27 qualifications of this section.

1           (3) AS USED IN THIS SECTION, "ARMED FORCES" MEANS THAT TERM AS  
2   DEFINED IN SECTION 2 OF THE VETERAN RIGHT TO EMPLOYMENT SERVICES  
3   ACT, 1994 PA 39, MCL 35.1092.