

HOUSE BILL No. 6109

May 13, 2008, Introduced by Reps. Virgil Smith and Rick Jones and referred to the
Committee on Judiciary.

A bill to allow certain private colleges and universities to
create campus security forces; and to provide for certain powers
and duties of certain officers and agencies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "private college campus security act".

3 Sec. 2. As used in this act:

4 (a) "Governing board" means a board of regents, board of
5 trustees, board of governors, board of control, or other governing
6 body of an institution of higher education.

7 (b) "Michigan commission on law enforcement standards" means
8 that body as created under section 3 of the commission on law
9 enforcement standards act, 1965 PA 203, MCL 28.603.

10 (c) "Qualified private college or university" means a private
11 college or private university that meets all of the following

1 criteria:

2 (i) Provides a program of education in residence, leading to a
3 baccalaureate degree, or provides a program in residence for which
4 the baccalaureate degree is a prerequisite, leading to an academic
5 or professional degree.

6 (ii) Has at least 10% of its student body residing in college
7 or university housing.

8 (iii) Is located entirely within a county with a population of
9 at least 1,800,000 people.

10 (iv) Is properly accredited by the higher learning commission:
11 north central association of colleges and schools.

12 Sec. 3. (1) The governing board of a qualified private college
13 or university may create a campus security department and appoint
14 persons to be members of that campus security department. The
15 governing board shall assign duties, including the enforcement of
16 college or university regulations, and prescribe the oath of
17 office.

18 (2) A person appointed under subsection (1) shall be known and
19 designated as a campus security officer and is fully empowered
20 under this act as a campus security officer upon being certified by
21 the Michigan commission on law enforcement standards as described
22 in subsection (3).

23 (3) Campus security officers must meet the law enforcement
24 minimum standards of the commission on law enforcement standards
25 act, 1965 PA 203, MCL 28.601 to 28.616, and must be certified as
26 law enforcement officers under that act.

27 (4) A qualified private college or university that creates a

1 campus security department under this act is subject to the
2 authority of the Michigan commission on law enforcement standards,
3 pursuant to the commission on law enforcement standards act, 1965
4 PA 203, MCL 28.601 to 28.616, including required maintenance of
5 records, recognition of subpoenas, and cooperation with
6 investigations. The Michigan commission on law enforcement
7 standards may require a written agreement relating to this section
8 from a qualified private college or university before certifying
9 any appointed campus security officers, and may impose a fee under
10 section 10 of the commission on law enforcement standards act, 1965
11 PA 203, MCL 28.610.

12 Sec. 4. The governing board of a qualified private college or
13 university shall not create a campus security department under this
14 act unless, before that department is created, the governing board
15 obtains the approval of the prosecuting attorney and the sheriff of
16 each county within which the qualified private college or
17 university owns, maintains, or controls property. If the property
18 of the qualified private college or university is located entirely
19 within 1 city, the governing board also shall obtain the approval
20 of the chief of police of that city. If the property of the
21 qualified private college or university is not located entirely
22 within 1 city, the governing board also shall obtain the approval
23 of the chief of police of each city within which the qualified
24 private college or university owns, maintains, or controls
25 property. Before granting approval, the prosecuting attorney, the
26 sheriff, and the chief of police, as required, shall make a
27 determination that the proposed law enforcement agency is needed to

1 assure adequate public safety on the property of the qualified
2 private college or university.

3 Sec. 5. Revocation of a campus security officer's
4 certification by the commission on law enforcement standards shall
5 be governed by section 9b of the commission on law enforcement
6 standards act, 1965 PA 203, MCL 28.609b.

7 Sec. 6. A writing prepared, owned, used, in the possession of,
8 or retained by a qualified private college or university in
9 connection with a campus security department created under this act
10 is subject to the freedom of information act, 1976 PA 442, MCL
11 15.231 to 15.246.

12 Sec. 7. Upon being appointed under this act and certified as
13 law enforcement officers under the commission on law enforcement
14 standards act, 1965 PA 203, MCL 28.601 to 28.616, campus security
15 officers have the power to make arrests for violations of state
16 statutes, local ordinances, and the ordinances and regulations of
17 the governing board. That power may be exercised only on property
18 owned or leased by the qualified private college or university
19 wherever situated in this state and the public right-of-way
20 traversing or contiguous to that property for the protection of
21 students, employees, visitors, and their property, and the property
22 of the qualified private college or university unless otherwise
23 authorized under law by a memorandum of understanding with the
24 county sheriff or chief of police within whose jurisdiction the
25 college or university lies. Campus police may not serve civil
26 process.

27 Sec. 8. The governing board of a qualified private college or

1 university shall not grant powers and authority to the campus
2 security officers of the qualified private college or university
3 unless, before those powers and authority are granted, the
4 governing board establishes a campus police department oversight
5 committee. The committee shall be composed of individuals nominated
6 and elected by the faculty, students, and staff of the qualified
7 private college or university. The committee shall include 2
8 students, 2 members of the faculty, and 2 members of the staff. The
9 committee shall receive and address grievances by persons against
10 the campus security officers or the campus security department of
11 the qualified private college or university. The committee may
12 recommend to the governing board that disciplinary measures be
13 taken by the qualified private college or university against a
14 campus security officer who is found responsible for misconduct in
15 office.

16 Sec. 9. Members of the campus security department at a
17 qualified private college or university are not eligible to
18 participate in any state, county, or municipal retirement system
19 and shall not be reimbursed for training with state funds. The
20 uniforms, vehicles, and badges of campus security officers shall be
21 distinctive from those of the local law enforcement agency where
22 the campus is located.

23 Sec. 10. The governing board of a qualified private college or
24 university that creates a campus security department shall provide
25 liability insurance coverage for each member of the campus security
26 department without cost to the member, which will insure the member
27 against any liability which arises out of or in the course of the

1 member's employment for not less than \$250,000.00 of coverage,
2 unless that indemnification is provided by a program of self-
3 insurance.

4 Enacting section 1. This act does not take effect unless
5 Senate Bill No. ____ or House Bill No. 6110(request no. 01906'07 a)
6 of the 94th Legislature is enacted into law.