

HOUSE BILL No. 6240

June 12, 2018, Introduced by Reps. Chirkun, Howell, Love, Cambensy, Dianda, Geiss, Greimel, Gay-Dagnogo and Yanez and referred to the Committee on Law and Justice.

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending the title and sections 128 and 131 (MCL 389.128 and 389.131), the title as amended by 2008 PA 359 and sections 128 and 131 as amended by 1998 PA 281.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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TITLE

An act to revise and consolidate the laws relating to community colleges; to provide for the creation of community college districts; to provide a charter for such districts; to provide for the government, control, and administration of such districts; to provide for the election of a board of trustees; to define the powers and duties of the board of trustees; to provide

1 for the assessment, levy, collection and return of taxes therefor;
2 to authorize community college districts to operate a new jobs
3 training program, enter into certain training agreements, and issue
4 bonds to finance the training program; **TO GRANT CERTAIN POWERS,**
5 **DUTIES, AND AUTHORITY TO PUBLIC SAFETY AND POLICE OFFICERS OF A**
6 **COMMUNITY COLLEGE;** to prescribe penalties and provide remedies; and
7 to repeal acts and parts of acts.

8 Sec. 128. (1) Subject to subsections (2), ~~and (3)~~, **AND (4)**,
9 the board of trustees of a community college created under this act
10 may grant to the public safety officers or police officers of that
11 community college the powers and authority of a peace or law
12 enforcement officer. ~~Public~~**SUBJECT TO SUBSECTION (4), PUBLIC**
13 safety officers or police officers granted the powers and authority
14 under this act ~~shall~~ have the same powers and authority of a peace
15 officer under the code of criminal procedure, 1927 PA 175, MCL
16 760.1 to ~~776.22~~, **777.69**, and as provided under the Michigan vehicle
17 code, 1949 PA 300, MCL 257.1 to 257.923.

18 (2) Before granting the powers and authority provided under
19 subsection (1), a board of trustees of a community college shall
20 conduct not less than 2 public hearings.

21 (3) The board of trustees of a community college shall not
22 grant the powers and authority described in subsection (1) unless
23 that board of trustees creates a public safety advisory committee.
24 The public safety advisory committee ~~shall~~**MUST** be comprised of 2
25 members of the faculty and 2 members of the staff of the community
26 college. The public safety advisory committee shall receive and
27 address grievances by persons against the public safety officers or

1 police officers or against the public safety department or police
2 department of that community college. The committee may recommend
3 to the board of trustees or the administration of that community
4 college that disciplinary measures be taken against a public safety
5 officer or police officer who is found responsible for misconduct
6 in office.

7 **(4) EXCEPT FOR THE INVESTIGATION AND ACTION DESCRIBED IN**
8 **SECTION 131(2), PUBLIC SAFETY OFFICERS AND POLICE OFFICERS GRANTED**
9 **THE POWERS AND AUTHORITY UNDER THIS ACT MAY ONLY INVESTIGATE FIRST**
10 **OR SECOND DEGREE MURDER, DOMESTIC VIOLENCE, OR CRIMES INVOLVING**
11 **SEXUAL VIOLENCE OR CONTACT, OR ASSAULT WITH A WEAPON, IN**
12 **CONSULTATION WITH THE CAMPUS CRIME COMMISSION AS PROVIDED IN THE**
13 **CAMPUS CRIME INVESTIGATION ACT.**

14 **(5) AS USED IN THIS SECTION AND SECTION 131, "DOMESTIC**
15 **VIOLENCE" MEANS A VIOLATION OF SECTION 81(2), (3), (4), OR (5) OF**
16 **THE MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.81.**

17 Sec. 131. **(1)** The public safety department or police
18 department of each community college shall submit monthly uniform
19 crime reports pertaining to crimes within the department's
20 jurisdiction to the department of state police in the same manner
21 as uniform crime reports are submitted under section 1 of 1968 PA
22 319, MCL 28.251.

23 **(2) A PUBLIC SAFETY OFFICER OR POLICE OFFICER GRANTED POWERS**
24 **AND AUTHORITY UNDER THIS ACT SHALL NOTIFY THE CAMPUS CRIME**
25 **COMMISSION IF IN THE COURSE OF EMPLOYMENT THE PUBLIC SAFETY OFFICER**
26 **OR POLICE OFFICER RECEIVES INFORMATION THAT FIRST OR SECOND DEGREE**
27 **MURDER, DOMESTIC VIOLENCE, OR A CRIME INVOLVING SEXUAL VIOLENCE OR**

1 CONTACT, OR ASSAULT WITH A WEAPON, HAS OCCURRED ON PROPERTY OWNED
2 OR LEASED BY THE COMMUNITY COLLEGE. IF OTHERWISE GRANTED THE POWER
3 AND AUTHORITY UNDER THIS ACT, A PUBLIC SAFETY OFFICER OR POLICE
4 OFFICER MAY CONDUCT A PRELIMINARY INVESTIGATION AND TAKE ACTION ON
5 THE INFORMATION BEFORE PROVIDING THE NOTICE REQUIRED UNDER THIS
6 SUBSECTION.

7 (3) A PUBLIC SAFETY OFFICER OR POLICE OFFICER WHO WILLFULLY
8 NEGLECTS TO PERFORM THE DUTY REQUIRED UNDER SUBSECTION (2) IS
9 GUILTY OF A MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE
10 THAN 90 DAYS OR A FINE OF NOT MORE THAN \$1,000.00, OR BOTH.

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

13 Enacting section 2. This amendatory act does not take effect
14 unless Senate Bill No. ____ or House Bill No. 6241 (request no.
15 05654'18 *) of the 99th Legislature is enacted into law.