SENATE BILL No. 1292

September 19, 2012, Introduced by Senator HILDENBRAND and referred to the Committee on Economic Development.

A bill to amend 1968 PA 330, entitled "Private security business and security alarm act," by amending section 2 (MCL 338.1052), as amended by 2010 PA 68.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 2. (1) As used in this act:

(a) "Commission" means the commission on law enforcement standards created under section 3 of the commission on law enforcement standards act, 1965 PA 203, MCL 28.603.

(b) "Department" means the department of energy, labor, and economic growth LICENSING AND REGULATORY AFFAIRS, except that in reference to the regulation of private security police and private college security forces, department means the department of state police.
(c) "Governing board" means a board of regents, board of trustees, board of governors, board of control, or other governing body of an institution of higher education.

(d) "Licensee" means a sole proprietorship, firm, company, partnership, limited liability company, or corporation licensed under this act.

(E) "PERSON" MEANS AN INDIVIDUAL, LIMITED LIABILITY COMPANY, CORPORATION, OR OTHER LEGAL ENTITY.

(F) "Private college security force" means a security force created under section 37.

(G) "Private security guard" means an individual or an employee of an employer who offers, for hire, to provide protection of property on the premises of another, and includes an employee of a private college security force.

(H) "Private security police" means that part of a business organization or educational institution primarily responsible for the protection of property on the premises of the business organization, but does not include a private college security force.

(I) "Security alarm system" means a detection device or an assembly of equipment and devices arranged to signal the presence of a hazard requiring urgent attention or to which police are expected to respond. Security alarm system includes any system that can electronically cause an expected response by a law enforcement agency to a premises by means of the activation of an audible signal, visible signal, electronic notification, or video signal, or any combination of these signals, to a remote monitoring
location on or off the premises. Security alarm system does not include a video signal that is not transmitted over a public communication system or a fire alarm system or an alarm system that monitors temperature, humidity, or other condition not directly related to the detection of an unauthorized intrusion into a premises or an attempted robbery at a premises. SECURITY ALARM SYSTEM DOES NOT INCLUDE AN IP-ENABLED PREMISES SECURITY, MONITORING, AND CONTROL SYSTEM AS DEFINED IN SECTION 2 OF THE INTERNET PROTOCOL-ENABLED PREMISES SECURITY, MONITORING, AND CONTROL ACT.

(J) (i) "Security alarm system agent" means a person employed by a security alarm system contractor whose duties include the altering, installing, maintaining, moving, repairing, replacing, selling, servicing, monitoring, responding to, or causing others to respond to a security alarm system.

(K) (j) "Security alarm system contractor" means a sole proprietorship, firm, company, partnership, limited liability company, or corporation engaged in the installation, maintenance, alteration, monitoring, or servicing of security alarm systems or who responds to a security alarm system. Security alarm system contractor does not include a business that only sells or manufactures security alarm systems unless the business services security alarm systems, installs security alarm systems, monitors or arranges for the monitoring of a security alarm system, or responds to security alarm systems at the protected premises.

(l) (k) "Security business" means a person or business entity engaged in offering, arranging, or providing 1 or more of the
following services:

(i) Security alarm system installation, service, maintenance, alteration, or monitoring.

(ii) Private security guard.

(iii) Private security police.

(2) All businesses furnishing security alarm systems for the protection of persons and property AND whose employees and security technicians travel on public property and thoroughfares in the pursuit of their duties are subject to this act.

(3) A communications common carrier providing communications channels under tariffs for the transmission of signals in connection with an alarm system is not subject to this act.

(4) Railroad policemen A RAILROAD POLICEMAN WHO IS appointed and commissioned under the railroad code of 1993, 1993 PA 354, MCL 462.101 to 462.451, are exempt from this act.

(5) A SYSTEM PROVIDER, AS DEFINED IN SECTION 2 OF THE INTERNET PROTOCOL-ENABLED PREMISES SECURITY, MONITORING, AND CONTROL ACT, THAT IS REGISTERED UNDER THE INTERNET PROTOCOL-ENABLED PREMISES SECURITY, MONITORING, AND CONTROL ACT IS NOT SUBJECT TO THIS ACT.

Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 1291 of the 96th Legislature is enacted into law.