

Act No. 384
Public Acts of 2020
Approved by the Governor
January 4, 2021
Filed with the Secretary of State
January 4, 2021
EFFECTIVE DATE: March 24, 2021

**STATE OF MICHIGAN
100TH LEGISLATURE
REGULAR SESSION OF 2020**

Introduced by Reps. Brann, Yancey, Lasinski, Brenda Carter, Tyrone Carter, Hope, Whitsett, Hood, Sneller, Sabo, Warren, Sowerby, Cambensy, Clemente, Cherry, Manoogian, Kuppa, Stone, Hoadley, Guerra, Gay-Dagnogo, O'Malley, Kahle, Wozniak, Brixie, Peterson, Bolden, Meerman, Ellison, Wittenberg, Hammoud, Kennedy and Cynthia Johnson

ENROLLED HOUSE BILL No. 5855

AN ACT to amend 1976 PA 451, entitled "An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to make appropriations for certain purposes; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts," by amending sections 1599 and 1809 (MCL 380.1599 and 380.1809), section 1809 as added by 1995 PA 96.

The People of the State of Michigan enact:

Sec. 1599. A parent or other person in parental relation who fails to comply with this part is guilty of a misdemeanor punishable by a fine of not less than \$5.00 or more than \$50.00 or imprisonment for not more than 90 days, or both.

Sec. 1809. (1) In addition to any other penalty provided by law, a person who uses or attempts to use a teaching certificate that he or she knows is surrendered, suspended, revoked, nullified, fraudulently obtained, altered, or forged, or who uses or attempts to use as his or her own a valid teaching certificate that he or she knows is issued to another person, to obtain employment in a position requiring a valid teaching certificate or who remains employed in a position requiring a valid teaching certificate knowing that he or she does not hold a valid teaching certificate is guilty of a misdemeanor, punishable as follows:

- (a) For the first offense, by imprisonment for not more than 93 days or a fine of not more than \$500.00, or both.
- (b) For a second or subsequent offense, by imprisonment for not more than 6 months or a fine of not less than \$500.00 or more than \$1,000.00, or both.

(2) In addition to any other penalty provided by law, a person who uses or attempts to use a school administrator's certificate that he or she knows is surrendered, suspended, revoked, nullified, fraudulently obtained, altered, or forged, or who uses or attempts to use as his or her own a valid school administrator's

certificate that he or she knows is issued to another person, to obtain employment as a school administrator or who remains employed in a position requiring a valid school administrator's certificate knowing that he or she does not hold a valid school administrator's certificate is guilty of a misdemeanor, punishable as follows:

(a) For the first offense, by imprisonment for not more than 93 days or a fine of not more than \$500.00, or both.

(b) For a second or subsequent offense, by imprisonment for not more than 6 months or a fine of not less than \$500.00 or more than \$1,000.00, or both.

(3) In addition to any other penalty provided by law, a person who uses or attempts to use a state board approval that he or she knows is surrendered, suspended, revoked, nullified, fraudulently obtained, altered, or forged, or who uses or attempts to use as his or her own a valid state board approval that he or she knows is issued to another person, to obtain employment in a position requiring a valid state board approval or who remains employed in a position requiring a valid state board approval knowing that he or she does not hold a valid state board approval is guilty of a misdemeanor, punishable as follows:

(a) For the first offense, by imprisonment for not more than 93 days or a fine of not more than \$500.00, or both.

(b) For a second or subsequent offense, by imprisonment for not more than 6 months or a fine of not less than \$500.00 or more than \$1,000.00, or both.

(4) In addition to any other penalty provided by law, a person who uses or attempts to use a college or university transcript or a certificate or other credential that he or she knows is fraudulently obtained, altered, or forged, or who uses or attempts to use as his or her own a college or university transcript or a certificate or other credential that he or she knows is that of another person, to obtain a teaching certificate, school administrator's certificate, or state board approval in this state is guilty of a misdemeanor, punishable as follows:

(a) For the first offense, by imprisonment for not more than 93 days or a fine of not more than \$500.00, or both.

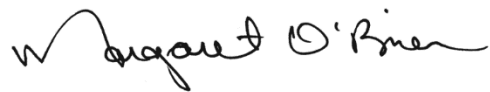
(b) For a second or subsequent offense, by imprisonment for not more than 6 months or a fine of not less than \$500.00 or more than \$1,000.00, or both.

(5) The state board may refuse to issue or renew a teaching certificate, school administrator's certificate, or state board approval, or refuse to issue an endorsement for a teaching certificate or school administrator's certificate, to a person convicted of a violation of this section.

(6) As used in this section, "state board approval" means that term as defined in section 1539b.



Clerk of the House of Representatives



Secretary of the Senate

Approved _____

Governor