

**SUBSTITUTE FOR
HOUSE BILL NO. 5837**

A bill to amend 1965 PA 203, entitled
"Michigan commission on law enforcement standards act,"
by amending the title and sections 9, 9b, 9c, and 9d (MCL 28.609,
28.609b, 28.609c, and 28.609d), the title as amended by 1998 PA 237
and sections 9, 9b, 9c, and 9d as amended by 2018 PA 552, and by
adding sections 9f and 9g.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 TITLE

2 An act to ~~provide for the creation of~~ **create** the commission on
3 law enforcement standards; to prescribe its membership, powers, and
4 duties; to prescribe the reporting responsibilities **and other**
5 **duties** of certain state and local agencies; **to require licensing of**
6 **and certain training for law enforcement officers;** to provide for



1 additional costs in criminal cases; to provide for the
2 establishment of the law enforcement officers training fund; and to
3 provide for disbursement of allocations from the law enforcement
4 officers training fund to local agencies of government
5 participating in a police training program.

6 Sec. 9. (1) This section applies to all law enforcement
7 officers except individuals to whom sections 9a, 9b, 9c, and 9d
8 apply. Employment of law enforcement officers to whom this section
9 applies is subject to the licensing requirements and procedures of
10 this section and ~~section~~**sections 9e and 9f**. An individual who
11 seeks admission to a preservice college basic law enforcement
12 training academy or a regional basic law enforcement training
13 academy or the recognition of prior basic law enforcement training
14 and experience program for purposes of licensure under this section
15 shall submit to fingerprinting as provided in section 11(3).

16 (2) The commission shall promulgate rules governing licensing
17 standards and procedures for individuals licensed under this
18 section. In promulgating the rules, the commission shall give
19 consideration to the varying factors and special requirements of
20 law enforcement agencies. Rules promulgated under this subsection
21 must pertain to the following:

22 (a) Subject to ~~section~~**sections 9e and 9f**, training
23 requirements that may be met by completing either of the following:

24 (i) Preenrollment requirements, courses of study, attendance
25 requirements, and instructional hours at an agency basic law
26 enforcement training academy, a preservice college basic law
27 enforcement training academy, or a regional basic law enforcement
28 training academy.

29 (ii) The recognition of prior basic law enforcement training



1 and experience program for granting a waiver from the licensing
2 standard specified in subparagraph (i).

3 (b) Proficiency on a licensing examination administered after
4 compliance with the licensing standard specified in subdivision
5 (a).

6 (c) Physical ability.

7 (d) Psychological fitness.

8 (e) Education.

9 (f) Reading and writing proficiency.

10 (g) Minimum age.

11 (h) Whether or not a valid operator's or chauffeur's license
12 is required for licensure.

13 (i) Character fitness, as determined by a background
14 investigation supported by a written authorization and release
15 executed by the individual for whom licensure is sought.

16 (j) Whether or not United States citizenship is required for
17 licensure.

18 (k) Employment as a law enforcement officer.

19 (l) The form and manner for execution of a written oath of
20 office by a law enforcement agency with whom the individual is
21 employed, and the content of the written oath conferring authority
22 to act with all of the law enforcement authority described in the
23 laws of this state under which the individual is employed.

24 (m) The ability to be licensed and employed as a law
25 enforcement officer under this section, without a restriction
26 otherwise imposed by law.

27 (3) The licensure process under this section must follow the
28 following procedures:

29 (a) Before executing the oath of office, an employing law



1 enforcement agency verifies that the individual to whom the oath is
2 to be administered complies with licensing standards.

3 (b) A law enforcement agency employing an individual licensed
4 under this section authorizes the individual to exercise the law
5 enforcement authority described in the laws of this state under
6 which the individual is employed, by executing a written oath of
7 office.

8 (c) Not more than 10 calendar days after executing the oath of
9 office, the employing law enforcement agency shall attest in
10 writing to the commission that the individual to whom the oath was
11 administered satisfies the licensing standards by submitting an
12 executed affidavit and a copy of the executed oath of office.

13 (4) If, upon reviewing the executed affidavit and executed
14 oath of office, the commission determines that the individual
15 complies with the licensing standards, the commission shall grant
16 the individual a license.

17 (5) If, upon reviewing the executed affidavit and executed
18 oath of office, the commission determines that the individual does
19 not comply with the licensing standards, the commission may do any
20 of the following:

21 (a) Supervise the remediation of errors or omissions in the
22 affidavit and oath of office.

23 (b) Supervise the remediation of errors or omissions in the
24 screening, procedures, examinations, testing, and other means used
25 to verify compliance with the licensing standards.

26 (c) Supervise additional screening, procedures, examinations,
27 testing, and other means used to determine compliance with the
28 licensing standards.

29 (d) Deny the issuance of a license and inform the employing



1 law enforcement agency.

2 (6) Upon being informed that the commission has denied
3 issuance of a license, the employing law enforcement agency shall
4 promptly inform the individual whose licensure was denied.

5 (7) An individual denied a license under this section shall
6 not exercise the law enforcement authority described in the laws of
7 this state under which the individual is employed. This subsection
8 does not divest the individual of that authority until the
9 individual has been informed that his or her licensure was denied.

10 (8) A law enforcement agency that has administered an oath of
11 office to an individual under this section shall do all of the
12 following, with respect to that individual:

13 (a) Report to the commission all personnel transactions
14 affecting employment status in a manner prescribed in rules
15 promulgated by the commission.

16 (b) Report to the commission concerning any action taken by
17 the employing agency that removes the authority conferred by the
18 oath of office, or that restores the individual's authority to that
19 conferred by the oath of office, in a manner prescribed in rules
20 promulgated by the commission.

21 (c) Maintain an employment history record.

22 (d) Collect, verify, and maintain documentation establishing
23 that the individual complies with the licensing standards.

24 (9) An individual licensed under this section shall report all
25 of the following to the commission:

26 (a) Criminal charges for offenses for which that individual's
27 license may be revoked as described in this section, upon being
28 informed of such charges, in a manner prescribed in rules
29 promulgated by the commission.



1 (b) The imposition of a personal protection order against that
2 individual after a judicial hearing under section 2950 or 2950a of
3 the revised judicature act of 1961, 1961 PA 236, MCL 600.2950 and
4 600.2950a, or under the laws of any other jurisdiction, upon being
5 informed of the imposition of such an order, in a manner prescribed
6 in rules promulgated by the commission.

7 (10) A license issued under this section is rendered inactive,
8 and may be reactivated, as follows:

9 (a) A license is rendered inactive if 1 or more of the
10 following occur:

11 (i) An individual, having been employed as a law enforcement
12 officer for fewer than 2,080 hours in aggregate, is thereafter
13 continuously not employed as a law enforcement officer for less
14 than 1 year.

15 (ii) An individual, having been employed as a law enforcement
16 officer for fewer than 2,080 hours in aggregate, is thereafter
17 continuously subjected to a removal of the authority conferred by
18 the oath of office for less than 1 year.

19 (iii) An individual, having been employed as a law enforcement
20 officer for 2,080 hours or longer in aggregate, is thereafter
21 continuously not employed as a law enforcement officer for less
22 than 2 years.

23 (iv) An individual, having been employed as a law enforcement
24 officer for 2,080 hours or longer in aggregate, is continuously
25 subjected to a removal of the authority conferred by the oath of
26 office for less than 2 years.

27 (b) An employing law enforcement agency may reactivate a
28 license rendered inactive by complying with the licensure
29 procedures described in subsection (3), excluding verification of



1 and attestation to compliance with the licensing standards
2 described in subsection (2) (a) to (g).

3 (c) A license that has been reactivated under this section is
4 valid for all purposes described in this act.

5 (11) A license issued under this section is rendered lapsed,
6 without barring further licensure under this act, if 1 or more of
7 the following occur:

8 (a) An individual, having been employed as a law enforcement
9 officer for fewer than 2,080 hours in aggregate, is thereafter
10 continuously not employed as a law enforcement officer for 1 year.

11 (b) An individual, having been employed as a law enforcement
12 officer for fewer than 2,080 hours in aggregate, is thereafter
13 continuously subjected to a removal of the authority conferred by
14 the oath of office for 1 year.

15 (c) An individual, having been employed as a law enforcement
16 officer for 2,080 hours or longer in aggregate, is thereafter
17 continuously not employed as a law enforcement officer for 2 years.

18 (d) An individual, having been employed as a law enforcement
19 officer for 2,080 hours or longer in aggregate, is continuously
20 subjected to a removal of the authority conferred by the oath of
21 office for 2 years.

22 (12) The commission shall revoke a license granted under this
23 section for any of the following circumstances and shall promulgate
24 rules governing revocations under this subsection:

25 (a) The individual obtained the license by making a materially
26 false oral or written statement or committing fraud in an
27 affidavit, disclosure, or application to a law enforcement training
28 academy, the commission, or a law enforcement agency at any stage
29 of recruitment, selection, appointment, enrollment, training, or



1 licensure application.

2 (b) The individual obtained the license because another
3 individual made a materially false oral or written statement or
4 committed fraud in an affidavit, disclosure, or application to a
5 law enforcement training academy, the commission, or a law
6 enforcement agency at any stage of recruitment, selection,
7 appointment, enrollment, training, or licensure application.

8 (c) The individual has been subjected to an adjudication of
9 guilt for a violation or attempted violation of a penal law of this
10 state or another jurisdiction that is punishable by imprisonment
11 for more than 1 year.

12 (d) The individual has been subjected to an adjudication of
13 guilt for violation or attempted violation of 1 or more of the
14 following penal laws of this state or laws of another jurisdiction
15 substantially corresponding to the penal laws of this state:

16 (i) Section 625(1) or (8) of the Michigan vehicle code, 1949 PA
17 300, MCL 257.625, if the individual has a prior conviction, as that
18 term is defined in section 625(25)(b) of the Michigan vehicle code,
19 1949 PA 300, MCL 257.625, that occurred within 7 years of the
20 adjudication as described in section 625(9)(b) of the Michigan
21 vehicle code, 1949 PA 300, MCL 257.625.

22 (ii) Section 7403(2)(c) or 7404(2)(a), (b), or (c) of the
23 public health code, 1978 PA 368, MCL 333.7403 and 333.7404.

24 (iii) Section 81(4) or 81a or a misdemeanor violation of section
25 411h of the Michigan penal code, 1931 PA 328, MCL 750.81, 750.81a,
26 and 750.411h.

27 (13) The following procedures and requirements apply to
28 license revocation under this section:

29 (a) The commission shall initiate license revocation



1 proceedings, including, but not limited to, the issuance of an
2 order of summary suspension and notice of intent to revoke, upon
3 obtaining notice of facts warranting license revocation.

4 (b) A hearing for license revocation must be conducted as a
5 contested case under the administrative procedures act of 1969,
6 1969 PA 306, MCL 24.201 to 24.328.

7 (c) In lieu of participating in a contested case, an
8 individual may voluntarily and permanently relinquish his or her
9 law enforcement officer license by executing before a notary public
10 an affidavit of license relinquishment prescribed by the
11 commission.

12 (d) The commission need not delay or abate license revocation
13 proceedings based on an adjudication of guilt if an appeal is taken
14 from the adjudication of guilt.

15 (e) If the commission issues a final decision or order to
16 revoke a license, that decision or order is subject to judicial
17 review as provided in the administrative procedures act of 1969,
18 1969 PA 306, MCL 24.201 to 24.328. A summary suspension described
19 in this section is not a final decision or order for purposes of
20 judicial review.

21 (14) An individual licensed under this section shall not
22 exercise the law enforcement authority described in the laws of
23 this state under which the individual is employed if any of the
24 following occur:

25 (a) The individual's license is rendered void by a court order
26 or other operation of law.

27 (b) The individual's license is revoked.

28 (c) The individual's license is rendered inactive.

29 (d) The individual's license is rendered lapsed.



1 Sec. 9b. (1) This section applies only to individuals who are
2 employed as Michigan tribal law enforcement officers in this state
3 and are subject to a written instrument authorizing them to enforce
4 the laws of this state. Conferring authority to enforce the laws of
5 this state to law enforcement officers to whom this section applies
6 is subject to the licensing requirements and procedures of this
7 section and ~~section~~**sections 9e and 9f**. An individual who seeks
8 admission to a preservice college basic law enforcement training
9 academy or a regional basic law enforcement training academy or the
10 recognition of prior basic law enforcement training and experience
11 program for purposes of licensure under this section shall submit
12 to fingerprinting as provided in section 11(3).

13 (2) The commission shall promulgate rules governing licensing
14 standards and procedures, pertaining to the following:

15 (a) Subject to ~~section~~**sections 9e and 9f**, training
16 requirements that may be met by completing either of the following:

17 (i) Preenrollment requirements, courses of study, attendance
18 requirements, and instructional hours at an agency basic law
19 enforcement training academy, a preservice college basic law
20 enforcement training academy, or a regional basic law enforcement
21 training academy.

22 (ii) The recognition of prior basic law enforcement training
23 and experience program for granting a waiver from the licensing
24 standard specified in subparagraph (i).

25 (b) Proficiency on a licensing examination administered after
26 compliance with the licensing standard specified in subdivision
27 (a).

28 (c) Physical ability.

29 (d) Psychological fitness.



1 (e) Education.

2 (f) Reading and writing proficiency.

3 (g) Minimum age.

4 (h) Whether or not a valid operator's or chauffeur's license
5 is required for licensure.

6 (i) Character fitness, as determined by a background
7 investigation supported by a written authorization and release
8 executed by the individual for whom licensure is sought.

9 (j) Whether or not United States citizenship is required for
10 licensure.

11 (k) Employment as a Michigan tribal law enforcement officer.

12 (l) The form and manner for execution of a written instrument
13 conferring authority upon the individual to enforce the laws of
14 this state, consisting of any of the following:

15 (i) Deputation by a sheriff of this state, conferring authority
16 upon the individual to enforce the laws of this state.

17 (ii) Appointment as a law enforcement officer by a law
18 enforcement agency, conferring authority upon the individual to
19 enforce the laws of this state.

20 (iii) Execution of a written agreement between the Michigan
21 tribal law enforcement agency with whom the individual is employed
22 and a law enforcement agency, conferring authority upon the
23 individual to enforce the laws of this state.

24 (iv) Execution of a written agreement between this state, or a
25 subdivision of this state, and the United States, conferring
26 authority upon the individual to enforce the laws of this state.

27 (m) The ability to be licensed and employed as a law
28 enforcement officer under this section, without a restriction
29 otherwise imposed by law.



1 (3) The licensure process under this section must follow the
2 following procedures:

3 (a) A law enforcement agency or other governmental agency
4 conferring authority upon a Michigan tribal law enforcement officer
5 as provided in this section shall confer the authority to enforce
6 the laws of this state by executing a written instrument as
7 provided in this section.

8 (b) Before executing the written instrument, a law enforcement
9 agency or other governmental agency shall verify that the
10 individual complies with the licensing standards.

11 (c) Not more than 10 calendar days after the effective date of
12 the written instrument, the law enforcement agency or other
13 governmental agency executing the written instrument shall attest
14 in writing to the commission that the individual to whom the
15 authority was conferred satisfies the licensing standards, by
16 submitting an executed affidavit and a copy of the written
17 instrument.

18 (4) If, upon reviewing the executed affidavit and the written
19 instrument, the commission determines that the individual complies
20 with the licensing standards, the commission shall grant the
21 individual a license.

22 (5) If, upon reviewing the executed affidavit and the written
23 instrument, the commission determines that the individual does not
24 comply with the licensing standards, the commission may do any of
25 the following:

26 (a) Supervise the remediation of errors or omissions in the
27 affidavit and oath of office.

28 (b) Supervise the remediation of errors or omissions in the
29 screening, procedures, examinations, testing, and other means used



1 to verify compliance with the licensing standards.

2 (c) Supervise additional screening, procedures, examinations,
3 testing, and other means used to determine compliance with the
4 licensing standards.

5 (d) Deny the issuance of a license and inform the law
6 enforcement agency or other governmental agency conferring
7 authority to enforce the laws of this state upon an individual to
8 whom this section applies.

9 (6) Upon being informed that the commission has denied
10 issuance of a license, a law enforcement agency or other
11 governmental agency conferring authority to enforce the laws of
12 this state upon an individual to whom this section applies shall
13 promptly inform the individual denied.

14 (7) An individual denied a license under this section shall
15 not exercise the law enforcement authority described in a written
16 instrument conferring authority upon the individual to enforce the
17 laws of this state. This subsection does not divest the individual
18 of that authority until the individual has been informed that his
19 or her license was denied.

20 (8) A written instrument conferring authority to enforce the
21 laws of this state upon an individual to whom this section applies
22 must include the following:

23 (a) A requirement that the employing Michigan tribal law
24 enforcement agency report to the commission all personnel
25 transactions affecting employment status in a manner prescribed in
26 rules promulgated by the commission.

27 (b) A requirement that the employing Michigan tribal law
28 enforcement agency report to the commission concerning any action
29 it takes that removes the authority conferred by the written



1 instrument conferring authority upon the individual to enforce the
2 laws of this state or that restores the individual's authority to
3 that conferred by the written instrument, in a manner prescribed in
4 rules promulgated by the commission.

5 (c) A requirement that the employing Michigan tribal law
6 enforcement agency maintain an employment history record.

7 (d) A requirement that the employing Michigan tribal law
8 enforcement agency collect, verify, and maintain documentation
9 establishing that the individual complies with the applicable
10 licensing standards.

11 (9) A written instrument conferring authority to enforce the
12 laws of this state upon an individual to whom this section applies
13 must include a requirement that the employing Michigan tribal law
14 enforcement agency report the following regarding an individual
15 licensed under this section:

16 (a) Criminal charges for offenses for which that individual's
17 license may be revoked as described in this section, upon being
18 informed of such charges, in a manner prescribed in rules
19 promulgated by the commission.

20 (b) The imposition of a personal protection order against that
21 individual after a judicial hearing under section 2950 or 2950a of
22 the revised judicature act of 1961, 1961 PA 236, MCL 600.2950 and
23 600.2950a, or under the laws of any other jurisdiction, upon being
24 informed of the imposition of such an order, in a manner prescribed
25 in rules promulgated by the commission.

26 (10) A license issued under this section is rendered inactive,
27 and may be reactivated, as follows:

28 (a) A license is rendered inactive if 1 or more of the
29 following occur:



1 (i) An individual, having been employed as a law enforcement
2 officer in aggregate for less than 2,080 hours, is thereafter
3 continuously not employed as a law enforcement officer for less
4 than 1 year.

5 (ii) An individual, having been employed as a law enforcement
6 officer in aggregate for less than 2,080 hours, is thereafter
7 continuously subjected to a removal of the authority conferred by
8 the written instrument authorizing the individual to enforce the
9 laws of this state for less than 1 year.

10 (iii) An individual, having been employed as a law enforcement
11 officer in aggregate for 2,080 hours or longer, is thereafter
12 continuously not employed as a law enforcement officer for less
13 than 2 years.

14 (iv) An individual, having been employed as a law enforcement
15 officer in aggregate for 2,080 hours or longer, is continuously
16 subjected to a removal of the authority conferred by the written
17 instrument authorizing the individual to enforce the laws of this
18 state for less than 2 years.

19 (b) A law enforcement agency or other governmental agency
20 conferring authority to enforce the laws of this state upon an
21 individual to whom this section applies may reactivate a license
22 rendered inactive by complying with the licensure procedures
23 described in subsection (3), excluding verification of and
24 attestation to compliance with the licensing standards described in
25 subsection (2)(a) to (g).

26 (c) A license that has been reactivated under this section is
27 valid for all purposes described in this act.

28 (11) A license issued under this section is rendered lapsed,
29 without barring further licensure under this act, if 1 or more of



1 the following occur:

2 (a) An individual, having been employed as a law enforcement
3 officer in aggregate for less than 2,080 hours, is thereafter
4 continuously not employed as a law enforcement officer for 1 year.

5 (b) An individual, having been employed as a law enforcement
6 officer in aggregate for less than 2,080 hours, is thereafter
7 continuously subjected to a removal of the authority conferred by
8 the written instrument authorizing the individual to enforce the
9 laws of this state for 1 year.

10 (c) An individual, having been employed as a law enforcement
11 officer in aggregate for 2,080 hours or longer, is thereafter
12 continuously not employed as a law enforcement officer for 2 years.

13 (d) An individual, having been employed as a law enforcement
14 officer in aggregate for 2,080 hours or longer, is continuously
15 subjected to a removal of the authority conferred by the written
16 instrument authorizing the individual to enforce the laws of this
17 state for 2 years.

18 (12) The commission shall revoke a license granted under this
19 section for any of the following circumstances and shall promulgate
20 rules governing these revocations under this section:

21 (a) The individual obtained the license by making a materially
22 false oral or written statement or committing fraud in an
23 affidavit, disclosure, or application to a law enforcement training
24 academy, the commission, or a law enforcement agency at any stage
25 of recruitment, selection, appointment, enrollment, training, or
26 licensure application.

27 (b) The individual obtained the license because another
28 individual made a materially false oral or written statement or
29 committed fraud in an affidavit, disclosure, or application to a



1 law enforcement training academy, the commission, or a law
2 enforcement agency at any stage of recruitment, selection,
3 appointment, enrollment, training, or licensure application.

4 (c) The individual has been subjected to an adjudication of
5 guilt for a violation or attempted violation of a penal law of this
6 state or another jurisdiction that is punishable by imprisonment
7 for more than 1 year.

8 (d) The individual has been subjected to an adjudication of
9 guilt for violation or attempted violation of 1 or more of the
10 following penal laws of this state or laws of another jurisdiction
11 substantially corresponding to the penal laws of this state:

12 (i) Section 625(1) or (8) of the Michigan vehicle code, 1949 PA
13 300, MCL 257.625, if the individual has a prior conviction, as that
14 term is defined in section 625(25)(b) of the Michigan vehicle code,
15 1949 PA 300, MCL 257.625, that occurred within 7 years of the
16 adjudication as described in section 625(9)(b) of the Michigan
17 vehicle code, 1949 PA 300, MCL 257.625.

18 (ii) Section 7403(2)(c) or 7404(2)(a), (b), or (c) of the
19 public health code, 1978 PA 368, MCL 333.7403 and 333.7404.

20 (iii) Section 81(4) or 81a or a misdemeanor violation of section
21 411h of the Michigan penal code, 1931 PA 328, MCL 750.81, 750.81a,
22 and 750.411h.

23 (13) The following procedures and requirements apply to
24 license revocation under this section:

25 (a) The commission shall initiate license revocation
26 proceedings, including, but not limited to, the issuance of an
27 order of summary suspension and notice of intent to revoke, upon
28 obtaining notice of facts warranting license revocation.

29 (b) A hearing for license revocation must be conducted as a



1 contested case under the administrative procedures act of 1969,
2 1969 PA 306, MCL 24.201 to 24.328.

3 (c) In lieu of participating in a contested case, an
4 individual may voluntarily and permanently relinquish his or her
5 law enforcement officer license by executing before a notary public
6 an affidavit of license relinquishment prescribed by the
7 commission.

8 (d) The commission need not delay or abate license revocation
9 proceedings based on an adjudication of guilt if an appeal is taken
10 from the adjudication of guilt.

11 (e) If the commission issues a final decision or order to
12 revoke a license, that decision or order is subject to judicial
13 review as provided in the administrative procedures act of 1969,
14 1969 PA 306, MCL 24.201 to 24.328. A summary suspension described
15 in this section is not a final decision or order for purposes of
16 judicial review.

17 (14) An individual licensed under this section shall not
18 exercise the law enforcement authority described in a written
19 instrument conferring authority upon the individual to enforce the
20 laws of this state if any of the following occur:

21 (a) The individual's license is rendered void by a court order
22 or other operation of law.

23 (b) The individual's license is revoked.

24 (c) The individual's license is rendered inactive.

25 (d) The individual's license is rendered lapsed.

26 Sec. 9c. (1) This section applies only to individuals who are
27 employed as fire arson investigators from fire departments within
28 villages, cities, townships, or counties in this state, who are
29 sworn and fully empowered by the chiefs of police of those



villages, cities, townships, or counties. Conferring authority to enforce the laws of this state to law enforcement officers to whom this section applies is subject to the licensing requirements and procedures of this section and ~~section~~**sections 9e and 9f**. An individual who seeks admission to a preservice college basic law enforcement training academy or a regional basic law enforcement training academy or the recognition of prior basic law enforcement training and experience program for purposes of licensure under this section shall submit to fingerprinting as provided in section 11(3).

(2) The commission shall promulgate rules governing licensing standards and procedures, pertaining to the following:

(a) Subject to ~~section~~**sections 9e and 9f**, training requirements that may be met by completing either of the following:

(i) Preenrollment requirements, courses of study, attendance requirements, and instructional hours at an agency basic law enforcement training academy, a preservice college basic law enforcement training academy, or a regional basic law enforcement training academy.

(ii) The recognition of prior basic law enforcement training and experience program for granting a waiver from the licensing standard specified in subparagraph (i).

(b) Proficiency on a licensing examination administered after compliance with the licensing standard specified in subdivision

(a).

(c) Physical ability.

(d) Psychological fitness.

(e) Education.

(f) Reading and writing proficiency.



1 (g) Minimum age.

2 (h) Whether or not a valid operator's or chauffeur's license
3 is required for licensure.

4 (i) Character fitness, as determined by a background
5 investigation supported by a written authorization and release
6 executed by the individual for whom licensure is sought.

7 (j) Whether or not United States citizenship is required for
8 licensure.

9 (k) Employment as a fire arson investigator from a fire
10 department within a village, city, township, or county in this
11 state, who is sworn and fully empowered by the chief of police of
12 that village, city, township, or county.

13 (l) The form and manner for execution of a written oath of
14 office by the chief of police of a village, city, township, or
15 county law enforcement agency, and the content of the written oath
16 conferring authority to enforce the laws of this state.

17 (m) The ability to be licensed and employed as a law
18 enforcement officer under this section, without a restriction
19 otherwise imposed by law.

20 (3) The licensure process under this section must follow the
21 following procedures:

22 (a) Before executing the oath of office, the chief of police
23 shall verify that the individual to whom the oath is to be
24 administered complies with the licensing standards.

25 (b) The chief of police shall execute an oath of office
26 authorizing the individual to enforce the laws of this state.

27 (c) Not more than 10 calendar days after executing the oath of
28 office, the chief of police shall attest in writing to the
29 commission that the individual to whom the oath was administered



1 satisfies the licensing standards by submitting an executed
2 affidavit and a copy of the executed oath of office.

3 (4) If, upon reviewing the executed affidavit and executed
4 oath of office, the commission determines that the individual
5 complies with the licensing standards, the commission shall grant
6 the individual a license.

7 (5) If, upon reviewing the executed affidavit and executed
8 oath of office, the commission determines that the individual does
9 not comply with the licensing standards, the commission may do any
10 of the following:

11 (a) Supervise the remediation of errors or omissions in the
12 affidavit and oath of office.

13 (b) Supervise the remediation of errors or omissions in the
14 screening, procedures, examinations, testing, and other means used
15 to verify compliance with the licensing standards.

16 (c) Supervise additional screening, procedures, examinations,
17 testing, and other means used to determine compliance with the
18 licensing standards.

19 (d) Deny the issuance of a license and inform the chief of
20 police.

21 (6) Upon being informed that the commission has denied
22 issuance of a license, the chief of police shall promptly inform
23 the individual whose licensure was denied.

24 (7) An individual denied a license under this section shall
25 not exercise the law enforcement authority described in the oath of
26 office. This subsection does not divest the individual of that
27 authority until the individual has been informed that his or her
28 license was denied.

29 (8) A chief of police who has administered an oath of office



1 to an individual under this section shall do all of the following,
2 with respect to that individual:

3 (a) Report to the commission all personnel transactions
4 affecting employment status in a manner prescribed in rules
5 promulgated by the commission.

6 (b) Report to the commission concerning any action taken by
7 the chief of police that removes the authority conferred by the
8 oath of office, or that restores the individual's authority to that
9 conferred by the oath of office, in a manner prescribed in rules
10 promulgated by the commission.

11 (c) Maintain an employment history record.

12 (d) Collect, verify, and maintain documentation establishing
13 that the individual complies with the applicable licensing
14 standards.

15 (9) An individual licensed under this section shall report all
16 of the following to the commission:

17 (a) Criminal charges for offenses for which that individual's
18 license may be revoked as described in this section, upon being
19 informed of such charges, in a manner prescribed in rules
20 promulgated by the commission.

21 (b) Imposition of a personal protection order against that
22 individual after a judicial hearing under section 2950 or 2950a of
23 the revised judicature act of 1961, 1961 PA 236, MCL 600.2950 and
24 600.2950a, or under the laws of any other jurisdiction, upon being
25 informed of the imposition of such an order, in a manner prescribed
26 in rules promulgated by the commission.

27 (10) A license issued under this section is rendered lapsed,
28 without barring further licensure under this act, if 1 or both of
29 the following occur:



1 (a) The individual is no longer employed as a fire arson
2 investigator from a fire department within a village, city,
3 township, or county in this state, who is sworn and fully empowered
4 by the chief of police of that village, city, township, or county,
5 rendering the license lapsed.

6 (b) The individual is subjected to a removal of the authority
7 conferred by the oath of office, rendering the license lapsed.

8 (11) The commission shall revoke a license granted under this
9 section for any of the following circumstances and shall promulgate
10 rules governing these revocations under this subsection:

11 (a) The individual obtained the license by making a materially
12 false oral or written statement or committing fraud in an
13 affidavit, disclosure, or application to a law enforcement training
14 academy, the commission, or a law enforcement agency at any stage
15 of recruitment, selection, appointment, enrollment, training, or
16 licensure application.

17 (b) The individual obtained the license because another
18 individual made a materially false oral or written statement or
19 committed fraud in an affidavit, disclosure, or application to a
20 law enforcement training academy, the commission, or a law
21 enforcement agency at any stage of recruitment, selection,
22 appointment, enrollment, training, or licensure application.

23 (c) The individual has been subjected to an adjudication of
24 guilt for a violation or attempted violation of a penal law of this
25 state or another jurisdiction that is punishable by imprisonment
26 for more than 1 year.

27 (d) The individual has been subjected to an adjudication of
28 guilt for violation or attempted violation of 1 or more of the
29 following penal laws of this state or laws of another jurisdiction



1 substantially corresponding to the penal laws of this state:

2 (i) Section 625(1) or (8) of the Michigan vehicle code, 1949 PA
3 300, MCL 257.625, if the individual has a prior conviction, as that
4 term is defined in section 625(25)(b) of the Michigan vehicle code,
5 1949 PA 300, MCL 257.625, that occurred within 7 years of the
6 adjudication as described in section 625(9)(b) of the Michigan
7 vehicle code, 1949 PA 300, MCL 257.625.

8 (ii) Section 7403(2)(c) or 7404(2)(a), (b), or (c) of the
9 public health code, 1978 PA 368, MCL 333.7403 and 333.7404.

10 (iii) Section 81(4) or 81a or a misdemeanor violation of section
11 411h of the Michigan penal code, 1931 PA 328, MCL 750.81, 750.81a,
12 and 750.411h.

13 (12) The following procedures and requirements apply to
14 license revocation under this section:

15 (a) The commission shall initiate license revocation
16 proceedings, including, but not limited to, issuance of an order of
17 summary suspension and notice of intent to revoke, upon obtaining
18 notice of facts warranting license revocation.

19 (b) A hearing for license revocation must be conducted as a
20 contested case under the administrative procedures act of 1969,
21 1969 PA 306, MCL 24.201 to 24.328.

22 (c) In lieu of participating in a contested case, an
23 individual may voluntarily and permanently relinquish his or her
24 law enforcement officer license by executing before a notary public
25 an affidavit of license relinquishment prescribed by the
26 commission.

27 (d) The commission need not delay or abate license revocation
28 proceedings based on an adjudication of guilt if an appeal is taken
29 from the adjudication of guilt.



(e) If the commission issues a final decision or order to revoke a license, that decision or order is subject to judicial review as provided in the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328. A summary suspension described in this section is not a final decision or order for purposes of judicial review.

(13) An individual licensed under this section shall not exercise the law enforcement authority described in the oath of office if any of the following occur:

(a) The individual's license is rendered void by a court order or other operation of law.

(b) The individual's license is revoked.

(c) The individual's license is rendered lapsed.

Sec. 9d. (1) This section applies only to individuals who meet all of the following conditions:

(a) Are employed as private college security officers under section 37 of the private security business and security alarm act, 1968 PA 330, MCL 338.1087.

(b) Seek licensure under this act.

(c) Are sworn and fully empowered by a chief of police of a village, city, or township law enforcement agency, or are deputized by a county sheriff as a deputy sheriff, excluding deputation as a special deputy.

(2) The authority to enforce the laws of this state of private college security officers to whom this section applies is subject to the licensing requirements and procedures of this section and ~~section~~ **sections 9e and 9f**. An individual who seeks admission to a preservice college basic law enforcement training academy or a regional basic law enforcement training academy or the recognition



1 of prior basic law enforcement training and experience program for
2 purposes of licensure under this section shall submit to
3 fingerprinting as provided in section 11(3).

4 (3) The commission shall promulgate rules governing licensing
5 standards and procedures, pertaining to the following:

6 (a) Subject to ~~section~~**sections** 9e **and 9f**, training
7 requirements that may be met by completing either of the following:

8 (i) Preenrollment requirements, courses of study, attendance
9 requirements, and instructional hours at an agency basic law
10 enforcement training academy, a preservice college basic law
11 enforcement training academy, or a regional basic law enforcement
12 training academy.

13 (ii) The recognition of prior basic law enforcement training
14 and experience program for granting a waiver from the licensing
15 standard specified in subparagraph (i).

16 (b) Proficiency on a licensing examination administered after
17 compliance with the licensing standard specified in subdivision
18 (a).

19 (c) Physical ability.

20 (d) Psychological fitness.

21 (e) Education.

22 (f) Reading and writing proficiency.

23 (g) Minimum age.

24 (h) Whether or not a valid operator's or chauffeur's license
25 is required for licensure.

26 (i) Character fitness, as determined by a background
27 investigation supported by a written authorization and release
28 executed by the individual for whom licensure is sought.

29 (j) Whether or not United States citizenship is required for



1 licensure.

2 (k) Employment as a private college security officer as
3 defined in section 37 of the private security business and security
4 alarm act, 1968 PA 330, MCL 338.1087, who is sworn and fully
5 empowered by the chief of police of a village, city, or township
6 law enforcement agency, or deputized by a county sheriff as a
7 deputy sheriff, excluding deputation as a special deputy.

8 (l) The form and manner for execution of a written oath of
9 office by the chief of police of a village, city, or township law
10 enforcement agency, or by a county sheriff, and the content of the
11 written oath conferring the authority to enforce the general
12 criminal laws of this state.

13 (m) The ability to be licensed and employed as a law
14 enforcement officer under this section, without a restriction
15 otherwise imposed by law.

16 (4) The licensure process under this section must follow the
17 following procedures:

18 (a) Before executing the oath of office, the chief of police
19 of a village, city, or township law enforcement agency or the
20 county sheriff shall verify that the private college security
21 officer to whom the oath is administered complies with the
22 licensing standards.

23 (b) The chief of police of a village, city, or township law
24 enforcement agency or the county sheriff shall execute an oath of
25 office authorizing the private college security officer to enforce
26 the general criminal laws of this state.

27 (c) Not more than 10 calendar days after executing the oath of
28 office, the chief of police of a village, city, or township law
29 enforcement agency or the county sheriff shall attest in writing to



1 the commission that the private college security officer to whom
2 the oath was administered satisfies the licensing standards by
3 submitting an executed affidavit and a copy of the executed oath of
4 office.

5 (5) If upon reviewing the executed affidavit and oath of
6 office the commission determines that the private college security
7 officer complies with the licensing standards, the commission shall
8 grant the private college security officer a license.

9 (6) If upon reviewing the executed affidavit and oath of
10 office the commission determines that the private college security
11 officer does not comply with the licensing standards, the
12 commission may do any of the following:

13 (a) Supervise remediation of errors or omissions in the
14 affidavit or oath of office.

15 (b) Supervise the remediation of errors or omissions in the
16 screening, procedures, examinations, testing, and other means used
17 to verify compliance with the licensing standards.

18 (c) Supervise additional screening, procedures, examinations,
19 testing, and other means used to determine compliance with the
20 licensing standards.

21 (d) Deny the issuance of a license and inform the chief of
22 police of a village, city, or township law enforcement agency or
23 the county sheriff of the denial.

24 (7) Upon being informed that the commission has denied
25 issuance of a license, the chief of police of a village, city, or
26 township law enforcement agency or the county sheriff shall
27 promptly inform the private college security officer seeking
28 licensure that he or she has been denied issuance of a license
29 under this section.



1 (8) A private college security officer denied a license under
2 this section may not exercise the law enforcement authority
3 described in the oath of office. This subsection does not divest
4 the private college security officer of that authority until the
5 private college security officer has been informed that his or her
6 licensure was denied.

7 (9) A chief of police of a village, city, or township law
8 enforcement agency or a county sheriff who has administered an oath
9 of office to a private college security officer under this section
10 shall, with respect to that private college security officer, do
11 all of the following:

12 (a) Report to the commission concerning all personnel
13 transactions affecting employment status, in a manner prescribed in
14 rules promulgated by the commission.

15 (b) Report to the commission concerning any action taken by
16 the chief of police of a village, city, or township law enforcement
17 agency or the county sheriff that removes the authority conferred
18 by the oath of office or that restores the private college security
19 officer's authority conferred by the oath of office, in a manner
20 prescribed in rules promulgated by the commission.

21 (c) Maintain an employment history record.

22 (d) Collect, verify, and maintain documentation establishing
23 that the private college security officer complies with the
24 applicable licensing standards.

25 (10) If a private college or university appoints an individual
26 as a private college security officer under section 37 of the
27 private security business and security alarm act, 1968 PA 330, MCL
28 338.1087, and the private college security officer is licensed
29 under this section, the private college or university, with respect



1 to the private college security officer, shall do ~~all~~**both** of the
2 following:

3 (a) Report to the commission all personnel transactions
4 affecting employment status in a manner prescribed in rules
5 promulgated by the commission.

6 (b) Report to the chief of police of a village, city, or
7 township law enforcement agency or the county sheriff who
8 administered the oath of office to that private college security
9 officer all personnel transactions affecting employment status, in
10 a manner prescribed in rules promulgated by the commission.

11 (11) A private college security officer licensed under this
12 section shall report all of the following to the commission:

13 (a) Criminal charges for offenses for which the private
14 college security officer's license may be revoked as described in
15 this section upon being informed of such charges and in a manner
16 prescribed in rules promulgated by the commission.

17 (b) The imposition of a personal protection order against the
18 private college security officer after a judicial hearing under
19 section 2950 or 2950a of the revised judicature act of 1961, 1961
20 PA 236, MCL 600.2950 and 600.2950a, or under the law of any other
21 jurisdiction, upon being informed of the imposition of such an
22 order, in a manner prescribed in rules promulgated by the
23 commission.

24 (12) A license granted under this section is rendered lapsed,
25 without barring further licensure under this act, if 1 or both of
26 the following occur:

27 (a) The private college security officer is no longer employed
28 as a private college security officer appointed under section 37 of
29 the private security business and security alarm act, 1968 PA 330,



1 MCL 338.1087, who is sworn and fully empowered by the chief of
2 police of a village, city, or township law enforcement agency, or
3 deputized by a county sheriff as a deputy sheriff, excluding
4 deputation as a special deputy, rendering the license lapsed.

5 (b) The private college security officer is subjected to a
6 removal of the authority conferred by the oath of office, rendering
7 the license lapsed.

8 (13) The commission shall revoke a license granted under this
9 section for any of the following and shall promulgate rules
10 governing these revocations:

11 (a) The private college security officer obtained the license
12 by making a materially false oral or written statement or
13 committing fraud in the affidavit, disclosure, or application to a
14 law enforcement training academy, the commission, or a law
15 enforcement agency at any stage of recruitment, selection,
16 appointment, enrollment, training, or licensure application.

17 (b) The private college security officer obtained the license
18 because another person made a materially false oral or written
19 statement or committed fraud in the affidavit, disclosure, or
20 application to a law enforcement training academy, the commission,
21 or a law enforcement agency at any stage of recruitment, selection,
22 appointment, enrollment, training, or licensure application.

23 (c) The private college security officer has been subjected to
24 an adjudication of guilt for a violation or attempted violation of
25 a penal law of this state or another jurisdiction that is
26 punishable by imprisonment for more than 1 year.

27 (d) The private college security officer has been subjected to
28 an adjudication of guilt for a violation or attempted violation of
29 1 or more of the following penal laws of this state or another



1 jurisdiction substantially corresponding to the penal laws of this
2 state:

3 (i) Section 625(1) or (8) of the Michigan vehicle code, 1949 PA
4 300, MCL 257.625, if the individual has a prior conviction, as that
5 term is defined in section 625(25)(b) of the Michigan vehicle code,
6 1949 PA 300, MCL 257.625, that occurred within 7 years of the
7 adjudication as described in section 625(9)(b) of the Michigan
8 vehicle code, 1949 PA 300, MCL 257.625.

9 (ii) Section 7403(2)(c) or 7404(2)(a), (b), or (c) of the
10 public health code, 1978 PA 368, MCL 333.7403 and 333.7404.

11 (iii) Section 81(4) or 81a or a misdemeanor violation of section
12 411h of the Michigan penal code, 1931 PA 328, MCL 750.81, 750.81a,
13 and 750.411h.

14 (14) The following procedures and requirements apply to
15 license revocation under this section:

16 (a) The commission shall initiate license revocation
17 proceedings, including, but not limited to, the issuance of an
18 order for summary suspension and notice of intent to revoke a
19 license upon obtaining notice of facts warranting license
20 revocation.

21 (b) A hearing for license revocation must be conducted as a
22 contested case under the administrative procedures act of 1969,
23 1969 PA 306, MCL 24.201 to 24.328.

24 (c) In lieu of participating in a contested case, a private
25 security college officer may voluntarily and permanently relinquish
26 his or her law enforcement officer license under this section by
27 executing before a notary public an affidavit of license
28 relinquishment as prescribed by the commission.

29 (d) The commission need not delay or abate license revocation



1 proceedings based on an adjudication of guilt if an appeal is taken
2 from the adjudication of guilt.

3 (e) If the commission issues a final decision or order to
4 revoke a license, that decision or order is subject to judicial
5 review as provided in the administrative procedures act of 1969,
6 1969 PA 306, MCL 24.201 to 24.328. A summary suspension described
7 in this section is not a final decision or order for purposes of
8 judicial review.

9 (15) A private college security officer licensed under this
10 section shall not exercise the law enforcement authority described
11 in the oath of office he or she executed if any of the following
12 occur:

13 (a) The private college security officer's license is rendered
14 void by a court order or other operation of law.

15 (b) The private college security officer's license is revoked.

16 (c) The private college security officer's license is rendered
17 lapsed.

18 **Sec. 9f. (1) Subject to appropriation, beginning March 1,**
19 **2022, an individual who is seeking to become licensed as a law**
20 **enforcement officer under section 9, 9b, 9c, or 9d shall complete**
21 **training that meets the standards under this section. A law**
22 **enforcement officer who is licensed under section 9, 9b, 9c, or 9d**
23 **on March 1, 2022, and who has not previously completed the training**
24 **under this section shall complete training that meets the standards**
25 **under this section.**

26 (2) Subject to appropriation and to subsection (4), not later
27 than December 31, 2021, the commission shall conduct or contract
28 for research and analysis to identify training gaps and begin to
29 adapt, adopt, or develop curriculum standards for training in the



1 following areas or other areas the commission determines to be
2 substantially similar:

3 (a) De-escalation techniques.

4 (b) Implicit bias training.

5 (c) Procedural justice training.

6 (d) Mental health resources and support available for law
7 enforcement officers.

8 (3) The curriculum standards for training on de-escalation
9 techniques may include any of the following:

10 (a) The employment of verbal and physical tactics to diffuse
11 volatile or potentially violent situations, including when they are
12 safe and feasible, with an emphasis on using communication,
13 negotiation, and de-escalation techniques.

14 (b) The level of force that is an objectively reasonable
15 response to an identified and articulable threat or resistance that
16 is based on information available at the time of the incident and
17 that requires constant reevaluation as circumstances dictate and
18 allow.

19 (c) Training that provides law enforcement officers with
20 awareness and recognition of indicators of physical and mental
21 disabilities, mental health issues, developmental disabilities, and
22 substance abuse issues with an emphasis on effective communication
23 and de-escalation techniques.

24 (d) As appropriate with the nature and immediacy of the threat
25 to public safety, the use of distance, cover, and time when
26 approaching and managing critical incidents, in order to help
27 create a safety zone between the law enforcement officer and
28 subject, to afford the officer more time to react to the
29 circumstances.



1 (e) A law enforcement officer's responsibility to intervene in
2 a situation if another law enforcement officer's actions indicate
3 that officer has lost self-control or use of force is not
4 objectively reasonable to the level of resistance encountered.

5 (f) Other evidence-based approaches, found to be appropriate
6 by the commission, that enhance de-escalation techniques and
7 skills.

8 (4) An individual seeking to become a law enforcement officer
9 licensed under this act or a person who is already a licensed law
10 enforcement officer under this act may meet the standards for
11 implicit bias training by completing an implicit bias training
12 course approved by the commission.

13 (5) Not later than January 1, 2022, each law enforcement
14 agency in this state shall adopt a written policy stating that each
15 of the law enforcement officers in its employ shall utilize de-
16 escalation techniques in his or her interactions with citizens to
17 the extent that is as reasonable and safe as possible.

18 (6) The commission shall make a model written policy meeting
19 the requirements of subsection (5) available on its website. A law
20 enforcement agency may fulfill its duty under subsection (5) by
21 adopting the written policy made available under this subsection.

22 (7) The commission shall promulgate rules pursuant to the
23 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to
24 24.328, to ensure compliance with this section, including a tiered
25 system of license sanctions up to license revocation for law
26 enforcement officers licensed under section 9, 9b, 9c, or 9d who
27 refuse to comply with the training requirements under this section.
28 The rules promulgated under this subsection pertaining to
29 revocation of a license must incorporate the requirements and



1 procedures in the same manner as provided in sections 9(13),
2 9b(13), 9c(12), and 9d(14).

3 (8) As used in this section:

4 (a) "Curriculum" means a structure of educational standards
5 that identifies behavioral objectives and outcomes.

6 (b) "De-escalation technique" means a method or methods
7 intended to diffuse potentially volatile or violent situations with
8 the goal of reducing the level of subject control required to
9 resolve the situation in an objectively reasonable and safe manner.

10 (c) "Implicit bias training" means an evidence-based training
11 that provides instruction regarding the bias implicit in all human
12 beings and how to help ensure unconscious bias does not inhibit
13 fair and impartial law enforcement.

14 (d) "Procedural justice training" means training based on the
15 principles of treating people with dignity and respect, giving
16 citizens a voice during encounters, being neutral in decision
17 making, and conveying trustworthy motives while emphasizing law
18 enforcement's role in the context of the larger criminal justice
19 system.

20 (e) "Training gap" means identified behavioral or performance
21 deficiencies caused by a lack of skill or knowledge.

22 Sec. 9g. (1) Subject to appropriation, a law enforcement
23 officer licensed under this act shall complete not less than 12
24 hours of continuing education in subjects related to law
25 enforcement on or after January 1, 2022 and before January 1, 2023.

26 (2) Subject to appropriation, beginning January 1, 2023, a law
27 enforcement officer licensed under this act shall annually complete
28 not less than 24 hours of continuing education in subjects related
29 to law enforcement.



1 (3) The commission shall promulgate rules to implement this
2 section pursuant to the administrative procedures act of 1969, 1969
3 PA 306, MCL 24.201 to 24.328.

