

**STATE OF MICHIGAN
96TH LEGISLATURE
REGULAR SESSION OF 2012**

Introduced by Reps. Graves, Tyler, Somerville, Kowall, McMillin, Denby, Rendon, LaFontaine, Wayne Schmidt, Nesbitt, Horn, Hughes, Gilbert, Bumstead, Heise, Hooker, Yonker, Jenkins and Kurtz

ENROLLED HOUSE BILL No. 5590

AN ACT to amend 1968 PA 330, entitled "An act to license and regulate private security guards, private security police, private security guard agencies, private college security forces, and security alarm systems servicing, installing, operating, and monitoring; to provide penalties for violations; to protect the general public against unauthorized, unlicensed and unethical operations by individuals engaged in private security activity or security alarm systems sales, installations, service, maintenance, and operations; to establish minimum qualifications for individuals as well as private agencies engaged in the security business and security alarm systems and operations; to impose certain fees; to create certain funds; and to prescribe certain powers and duties of certain private colleges and certain state departments, agencies, and officers," by amending section 6 (MCL 338.1056), as amended by 2002 PA 473.

The People of the State of Michigan enact:

Sec. 6. (1) The department shall issue a license to conduct business as a security alarm system contractor or a private security guard, private security police, or to a private security guard business, if it is satisfied that the applicant, if the applicant is an individual, or the individual who is the sole or principal license holder of the applicant if the applicant is not an individual, meets all of the following qualifications:

(a) Is not less than 21 years of age. However, this subdivision does not apply to an applicant described in subdivision (g)(v).

(b) Has a high school education or its equivalent.

(c) If the applicant's license is issued after March 28, 2001, has not been convicted of a felony.

(d) If the applicant's license was issued on or before March 28, 2001, was not convicted of a felony in the 5-year period preceding the date of application.

(e) Was not convicted of an offense listed in section 10(1)(c) in the 5-year period preceding the date of application.

(f) Has not been dishonorably discharged from a branch of the United States military service.

(g) If the applicant is applying for a private security guard or agency license, meets any of the following:

(i) Was engaged in the private security guard or agency business on his or her own account in another state for a period of at least 3 years.

(ii) Was engaged in the private security guard or agency business for a period of at least 4 years as an employee of the holder of a certificate of authority to conduct a private security guard or agency business and has experience reasonably equivalent to at least 4 years of full-time guard work in a supervisory capacity with rank above that of patrolman.

(iii) Was employed in law enforcement as a certified police officer on a full-time basis for at least 4 years for a city, county, or state government or for the United States government.

(iv) Was engaged in the private security guard or agency business as an employee or on his or her own account or as a security administrator in private business for at least 2 years on a full-time basis, and is a graduate with a baccalaureate degree or its equivalent in the field of police administration or industrial security from an accredited college or university.

(v) While on active duty as a member of the armed forces, served as a military police officer or in an equivalent job classification for at least 2 years; was honorably discharged from that military service; and has, and provides with his or her application an affidavit signed by a commanding officer, supervisor, or military superior with direct knowledge of the applicant's service that he or she has, entry-level experience in or basic knowledge of each of the following:

- (A) Enforcing rules, regulations, and guidelines.
- (B) Providing security and physical protection.
- (C) Area and site security operations.
- (D) Overseeing prisoners and correctional facilities.
- (E) Reconnaissance and surveillance.

(h) If the applicant is applying for a security alarm system contractor license, has been lawfully engaged in either or both of the following:

(i) A security alarm system contractor business on his or her own account for a period of not less than 3 years.

(ii) A security alarm system contractor business for a period of not less than 4 years as an employee of the holder of a certificate of authority to conduct a security alarm system contractor business, and has experience reasonably equivalent to at least 4 years of full-time work in a supervisory capacity or passes a written exam administered by the department designed to measure his or her knowledge and training in security alarm systems.

(i) Provided the department the bond or surety required under section 9.

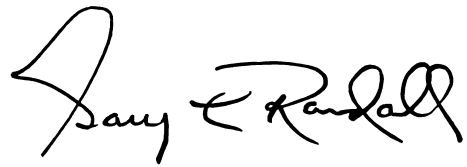
(j) Has not been adjudged insane, unless he or she has been adjudged restored to sanity by court order.

(k) Is not subject to any outstanding warrants for his or her arrest.

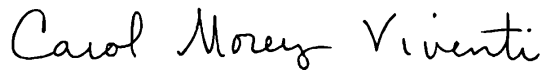
(2) If a person now doing or seeking to do business in this state is applying for a license under this section, the resident manager shall comply with the applicable qualifications of this section.

(3) As used in this section, "armed forces" means that term as defined in section 2 of the veteran right to employment services act, 1994 PA 39, MCL 35.1092.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

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Governor