LEGISLATIVE SERGEANT AT ARMS POLICE POWERS ACT

Act 185 of 2001

AN ACT to commission and confer certain police and arrest powers on certain sergeants at arms and assistant sergeants at arms in the legislative branch; to prescribe certain duties and responsibilities of certain state employees; and to repeal acts and parts of acts.

History: 2001, Act 185, Imd. Eff. Dec. 21, 2001

The People of the State of Michigan enact:

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4.381 Short title.

Sec. 1.

This act shall be known and may be cited as the "legislative sergeant at arms police powers act".

History: 2001, Act 185, Imd. Eff. Dec. 21, 2001

***** 4.382 THIS SECTION IS AMENDED EFFECTIVE 91 DAYS AFTER ADJOURNMENT OF THE 2025 REGULAR SESSION SINE DIE: See 4.382.amended *****

4.382 Sergeant at arms; powers and duties; locations; office as law enforcement agency; training and licensure or certification requirements; report.

Sec. 2.

(1) Each house of the legislature may commission the sergeant at arms and may commission 1 or more assistant sergeants at arms within that respective house as police officers, to enforce rules adopted by that house and the laws of this state as designated by the senate and the house of representatives, respectively. In performing those enforcement activities, commissioned sergeants at arms and assistant sergeants at arms are vested with the powers, privileges, prerogatives, and immunities conferred upon police officers under the laws of this state.

(2) Each sergeant at arms and assistant sergeant at arms commissioned by the senate or the house of representatives as a police officer under subsection (1) has the power to enforce rules adopted by that house and the laws of this state in the following places:

(a) The capitol building and capitol grounds.

(b) Buildings in which the offices of legislative members or staff are located.

(c) Locations where either house of the legislature or a committee or subcommittee of either house is holding a session, meeting, or public hearing, including a reasonable time before and after the session, meeting, or hearing.

(d) Legislative parking areas.

(e) Areas immediately adjacent to the places described in subdivisions (a) to (d).

(3) A sergeant at arms or assistant sergeant at arms commissioned as a police officer under this act shall exercise his or her authority as a police officer at the locations specified in subsection (2)(c) only while actually engaging in his or her duties as the sergeant at arms or an assistant sergeant at arms under the rules adopted by the senate or the house of representatives respectively.

(4) The senate may delegate, pursuant to rules of the senate, the authority to commission the sergeant at arms or assistant sergeants at arms as police officers and delegate their responsibilities under subsection (1) to the senate majority leader, the secretary of the senate, or other officers or employees of the senate.

(5) The house of representatives may delegate, pursuant to rules of the house of representatives, the authority to commission the sergeant at arms or assistant sergeants at arms as police officers and delegate their responsibilities under subsection (1) to the speaker of the house of representatives, the clerk of the house of representatives, or

other officers or employees of the house of representatives.

(6) The office of sergeant at arms of each house of the legislature is a law enforcement agency of this state.

(7) A sergeant at arms or an assistant sergeant at arms commissioned as a police officer under this act is subject to the training and licensure or certification requirements under the Michigan commission on law enforcement standards act, 1965 PA 203, MCL 28.601 to 28.615.

(8) Not less than once per legislative session, the individual designated to supervise the sergeants at arms under house rules and the individual designated to supervise the sergeants at arms under senate rules, or their designees, shall report to the standing committees of the house of representatives and senate concerned with government operations and oversight respectively on the activities of the sergeants at arms and other matters of interest involving the security and decorum in their respective houses.

History: 2001, Act 185, Imd. Eff. Dec. 21, 2001 ;-- Am. 2016, Act 303, Eff. Jan. 2, 2017

***** 4.382.amended THIS AMENDED SECTION IS EFFECTIVE 91 DAYS AFTER ADJOURNMENT OF THE 2025 REGULAR SESSION SINE DIE *****

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4.382.amended Sergeant at arms; powers and duties; locations; office as law enforcement agency; training and licensure or certification requirements; report.

Sec. 2.

(1) Each house of the legislature may commission the sergeant at arms and may commission 1 or more assistant sergeants at arms within that respective house as police officers, to enforce rules adopted by that house and the laws of this state as designated by the senate and the house of representatives, respectively. In performing those enforcement activities, commissioned sergeants at arms and assistant sergeants at arms are vested with the powers, privileges, prerogatives, and immunities conferred on police officers under the laws of this state.

(2) Each sergeant at arms and assistant sergeant at arms commissioned by the senate or the house of representatives as a police officer under subsection (1) has the power to enforce rules adopted by that house and the laws of this state in the following places:

(a) The capitol building and capitol grounds.

(b) Buildings in which the offices of legislative members or staff are located.

(c) Locations where either house of the legislature or a committee or subcommittee of either house is holding a session, meeting, or public hearing, including a reasonable time before and after the session, meeting, or hearing.

(d) Legislative parking areas.

(e) Areas immediately adjacent to the places described in subdivisions (a) to (d).

(f) Subject to subsection (4), in other locations in this state only as necessary to do 1 or more of the following:

(i) Provide security for a legislative member, a family member of the legislative member, or staff of the legislative member, if the need for security is related to threats directed toward or crimes committed against the legislative member in the course of the legislative member's official duties.

(ii) Provide security at an event attended by a legislative member in the course of the legislative member's official duties.

(iii) Subject to subsection (5), investigate threats toward or crimes committed against a legislative member.

(3) A sergeant at arms or assistant sergeant at arms commissioned as a police officer under this act shall exercise his or her authority as a police officer at the locations specified in subsection (2)(c) and (f) only while actually engaging in his or her duties as the sergeant at arms or an assistant sergeant at arms under the rules adopted by the senate or the house of representatives respectively.

(4) Subsection (2)(f) only applies if the senate majority leader or the speaker of the house of representatives, as applicable, approves a request submitted by a legislative member requesting security or investigation from a sergeant at arms or assistant sergeant at arms.

(5) If investigating a threat or crime as provided under subsection (2)(f)(iii), a sergeant at arms or assistant sergeant at arms shall coordinate with other state or local law enforcement agencies, as practicable.

(6) Subject to subsection (4), the senate may delegate, pursuant to rules of the senate, the authority to commission the sergeant at arms or assistant sergeants at arms as police officers and delegate their responsibilities under subsection (1) to the senate majority leader, the secretary of the senate, or other officers or employees of the senate.

(7) Subject to subsection (4), the house of representatives may delegate, pursuant to rules of the house of representatives, the authority to commission the sergeant at arms or assistant sergeants at arms as police officers

and delegate their responsibilities under subsection (1) to the speaker of the house of representatives, the clerk of the house of representatives, or other officers or employees of the house of representatives.

(8) The office of sergeant at arms of each house of the legislature is a law enforcement agency of this state.

(9) A sergeant at arms or an assistant sergeant at arms commissioned as a police officer under this act is subject to the training and licensure requirements under the Michigan commission on law enforcement standards act, 1965 PA 203, MCL 28.601 to 28.615.

(10) Not less than once per legislative session, the individual designated to supervise the sergeants at arms under house rules and the individual designated to supervise the sergeants at arms under senate rules, or their designees, shall report to the standing committees of the house of representatives and senate concerned with government operations and oversight respectively on the activities of the sergeants at arms and other matters of interest involving the security and decorum in their respective houses.

History: 2001, Act 185, Imd. Eff. Dec. 21, 2001 ;-- Am. 2016, Act 303, Eff. Jan. 2, 2017 ;-- Am. 2025, Act 35, Eff. (sine die)

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