

Act No. 186  
Public Acts of 2001  
Approved by the Governor  
December 20, 2001  
Filed with the Secretary of State  
December 21, 2001  
EFFECTIVE DATE: December 21, 2001

**STATE OF MICHIGAN  
91ST LEGISLATURE  
REGULAR SESSION OF 2001**

**Introduced by Reps. Julian, Bradstreet, Ehardt, Caul, Pumford, Pappageorge, Vander Roest, Middaugh, Richardville, Van Woerkom, Gosselin, Voorhees, Hansen, Newell, Sheltroun, Bisbee, Koetje, George, Hummel, Howell, Vander Veen, Birkholz, Raczkowski, Drolet, DeVuyst, Shulman and Vear**

# **ENROLLED HOUSE BILL No. 5342**

AN ACT to amend 1965 PA 203, entitled "An act to provide for the creation of the commission on law enforcement standards; to prescribe its membership, powers, and duties; to prescribe the reporting responsibilities of certain state and local agencies; to provide for additional costs in criminal cases; to provide for the establishment of the law enforcement officers training fund; and to provide for disbursement of allocations from the law enforcement officers training fund to local agencies of government participating in a police training program," by amending section 2 (MCL 28.602), as amended by 1998 PA 237.

*The People of the State of Michigan enact:*

Sec. 2. As used in this act:

(a) "Certificate" means a numbered document issued by the commission to a person who has received certification under this act.

(b) "Certification" means either of the following:

(i) A determination by the commission that a person meets the law enforcement officer minimum standards to be employed as a commission certified law enforcement officer and that the person is authorized under this act to be employed as a law enforcement officer.

(ii) A determination by the commission that a person was employed as a law enforcement officer before January 1, 1977 and that the person is authorized under this act to be employed as a law enforcement officer.

(c) "Commission" means the commission on law enforcement standards created in section 3.

(d) "Contested case" means that term as defined in section 3 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.203.

(e) "Executive director" means the executive director of the commission appointed under section 12.

(f) "Felony" means a violation of a penal law of this state or another state that is either of the following:

(i) Punishable by a term of imprisonment greater than 1 year.

(ii) Expressly designated a felony by statute.

(g) "Fund" means the law enforcement officers training fund created in section 13.

(h) "Law enforcement officer minimum standards" means standards established by the commission under this act that a person must meet to be eligible for certification under section 9a(1).

(i) "Law enforcement officer of a Michigan Indian tribal police force" means a regularly employed member of a police force of a Michigan Indian tribe who is appointed pursuant to 25 C.F.R. 12.100 to 12.103.

(j) "Michigan Indian tribe" means a federally recognized Indian tribe that has trust lands located within this state.

(k) "Police officer" or "law enforcement officer" means, unless the context requires otherwise, any of the following:

(i) A regularly employed member of a police force or other organization of a city, county, township, or village, of the state, or of a state university or community college who is responsible for the prevention and detection of crime and the enforcement of the general criminal laws of this state. Police officer or law enforcement officer does not include a person serving solely because he or she occupies any other office or position.

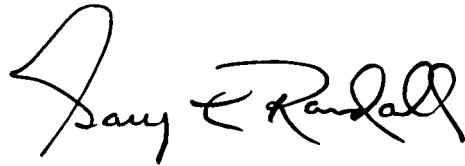
(ii) A law enforcement officer of a Michigan Indian tribal police force, subject to the limitations set forth in section 9(3).

(iii) The sergeant at arms or any assistant sergeant at arms of either house of the legislature who is commissioned as a police officer by that respective house of the legislature as provided by the legislative sergeant at arms powers act.

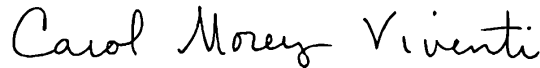
(l) "Rule" means a rule promulgated pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

Enacting section 1. This amendatory act does not take effect unless House Bill No. 5341 of the 91st Legislature is enacted into law.

This act is ordered to take immediate effect.



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Clerk of the House of Representatives.



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Secretary of the Senate.

Approved \_\_\_\_\_

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Governor.