

SENATE SUBSTITUTE FOR

HOUSE BILL NO. 5121

(As amended, September 29, 2004)

A bill 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 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,"

(MCL 380.1 to 380.1852) by adding section 1240; and to repeal acts and  
parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 1240. (1) The board of a school district that has a  
2 membership of at least 20,000 pupils and that includes in its  
3 territory a city with a population of at least 180,000 as of the  
4 most recent decennial census may create a law enforcement agency  
5 in accordance with and as provided under the public body law  
6 enforcement agency act. If the school district is a qualifying  
7 school district under part 5a, the chief executive officer of the  
8 school district, with the concurrence of the school reform board  
9 of the school district, may create a law enforcement agency in  
10 accordance with and as provided under the public body law  
11 enforcement agency act.

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1       (2) If the board or chief executive officer of a school  
2 district creates a law enforcement agency under subsection (1),  
3 the board or chief executive officer may grant to law enforcement  
4 officers of that law enforcement agency the same powers,  
5 immunities, and authority as are granted by law to peace officers  
6 and police officers to detect crime and to enforce the criminal  
7 laws of this state and to enforce state laws, local ordinances,  
8 and the ordinances and regulations of the school district, as  
9 provided under the public body law enforcement agency act. Law  
10 enforcement officers to whom the authority of peace officers and  
11 police officers is granted under that act are considered peace  
12 officers of this state and have the authority of police officers  
13 provided under the Michigan vehicle code, 1949 PA 300, MCL 257.1  
14 to 257.923, and as provided under the code of criminal procedure,  
15 1927 PA 175, MCL 760.1 to 777.69.

16       Enacting section 1. This amendatory act does not take  
17 effect unless House Bill No. 5906 of the 92nd Legislature is  
18 enacted into law.

<<Enacting section 2. Section 451 of the revised school code, 1976  
PA 451, MCL 380.451, is repealed.>>