

Act No. 380
Public Acts of 2004
Approved by the Governor
October 12, 2004
Filed with the Secretary of State
October 12, 2004
EFFECTIVE DATE: October 12, 2004

**STATE OF MICHIGAN
92ND LEGISLATURE
REGULAR SESSION OF 2004**

Introduced by Reps. Hunter, Tobocman, Condino, Daniels, McConico, Plakas, Richardville, Lipsey, Voorhees, Julian, Palmer, Smith, Farrah, Law, Bieda, Vagnozzi, Accavitti, Gleason, Ward and Sak

ENROLLED HOUSE BILL No. 5121

AN ACT 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:

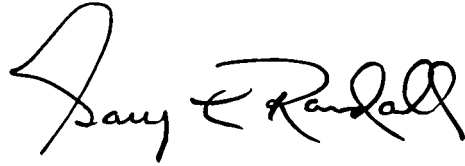
Sec. 1240. (1) The board of a school district that has a membership of at least 20,000 pupils and that includes in its territory a city with a population of at least 180,000 as of the most recent decennial census may create a law enforcement agency in accordance with and as provided under the public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

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

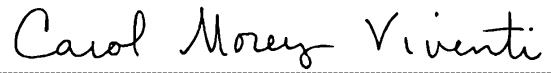
Enacting section 1. This amendatory act does not take effect unless House Bill No. 5906 of the 92nd Legislature is enacted into law.

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

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved _____

Governor