

SUBSTITUTE FOR
HOUSE BILL NO. 5590

A bill to amend 1968 PA 330, entitled
"Private security business and security alarm act,"
by amending section 6 (MCL 338.1056), as amended by 2002 PA 473.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 6. (1) The department shall issue a license to conduct
2 business as a security alarm system contractor or a private
3 security guard, private security police, or to a private security
4 guard business, if it is satisfied that the applicant, ~~is a sole~~
5 ~~proprietorship, or if a firm, partnership, company, limited~~
6 ~~liability company, or corporation the sole or principal license~~
7 ~~holder~~ **IF THE APPLICANT** is an individual, ~~who~~ **OR THE INDIVIDUAL WHO**
8 **IS THE SOLE OR PRINCIPAL LICENSE HOLDER OF THE APPLICANT IF THE**
9 **APPLICANT IS NOT AN INDIVIDUAL,** meets all of the following

1 qualifications:

2 (a) Is not less than 25 years of age. **HOWEVER, THIS**
3 **SUBDIVISION DOES NOT APPLY TO AN APPLICANT DESCRIBED IN SUBDIVISION**
4 **(G) (v) .**

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

6 ~~(c) In the case of a licensee under this section~~ **IF THE**
7 **APPLICANT'S LICENSE IS ISSUED** after March 28, 2001, has not been
8 ~~under any sentence, including parole, probation, or actual~~
9 ~~incarceration, for the commission~~ **CONVICTED** of a felony.

10 ~~(d) In the case of a person licensed under this section~~ **IF THE**
11 **APPLICANT'S LICENSE WAS ISSUED** on or before March 28, 2001, ~~has not~~
12 ~~been under any sentence, including parole, probation, or actual~~
13 ~~incarceration, for the commission~~ **WAS NOT CONVICTED** of a felony
14 ~~within 5 years before~~ **IN THE 5-YEAR PERIOD PRECEDING** the date of
15 application.

16 (e) ~~Has~~ **WAS** not ~~been~~ convicted of an offense listed in section
17 10(1)(c) ~~within 5 years before~~ **IN THE 5-YEAR PERIOD PRECEDING** the
18 date of application.

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

21 (g) ~~In the case of an~~ **IF THE** applicant **IS APPLYING** for a
22 private security guard or agency license, ~~has been lawfully engaged~~
23 ~~in 1 or more~~ **MEETS ANY** of the following:

24 (i) ~~In~~ **WAS ENGAGED IN** the private security guard or agency
25 business on his or her own account in another state for a period of
26 ~~not less than~~ **AT LEAST** 3 years.

27 (ii) ~~In~~ **WAS ENGAGED IN** the private security guard or agency

1 business for a period of ~~not less than~~ **AT LEAST** 4 years as an
2 employee of the holder of a certificate of authority to conduct a
3 private security guard or agency business and has ~~had~~ experience
4 reasonably equivalent to ~~not less than~~ **AT LEAST** 4 years of full-
5 time guard work in a supervisory capacity with rank above that of
6 patrolman.

7 (iii) ~~In~~ **WAS EMPLOYED IN** law enforcement ~~employment~~ as a
8 certified police officer on a full-time basis for ~~not less than~~ **AT**
9 **LEAST** 4 years for a city, county, or state government ~~—~~ or for the
10 United States government.

11 (iv) ~~In~~ **WAS ENGAGED IN** the private security guard or agency
12 business as an employee or on his or her own account or as a
13 security administrator in private business for ~~not less than~~ **AT**
14 **LEAST** 2 years on a full-time basis, and is a graduate with a
15 baccalaureate degree or its equivalent in the field of police
16 administration or industrial security from an accredited college or
17 university.

18 (v) **WHILE ON ACTIVE DUTY AS A MEMBER OF THE ARMED FORCES,**
19 **SERVED AS A MILITARY POLICE OFFICER OR IN AN EQUIVALENT JOB**
20 **CLASSIFICATION FOR AT LEAST 2 YEARS; WAS HONORABLY DISCHARGED FROM**
21 **THAT MILITARY SERVICE; AND HAS, AND PROVIDES WITH HIS OR HER**
22 **APPLICATION AN AFFIDAVIT SIGNED BY A COMMANDING OFFICER,**
23 **SUPERVISOR, OR MILITARY SUPERIOR WITH DIRECT KNOWLEDGE OF THE**
24 **APPLICANT'S SERVICE THAT HE OR SHE HAS, ENTRY-LEVEL EXPERIENCE IN**
25 **OR BASIC KNOWLEDGE OF EACH OF THE FOLLOWING:**

26 (A) **ENFORCING RULES, REGULATIONS, AND GUIDELINES.**

27 (B) **PROVIDING SECURITY AND PHYSICAL PROTECTION.**

1 (C) AREA AND SITE SECURITY OPERATIONS.

2 (D) OVERSEEING PRISONERS AND CORRECTIONAL FACILITIES.

3 (E) RECONNAISSANCE AND SURVEILLANCE.

4 (h) ~~In the case of an~~ IF THE applicant IS APPLYING for a
5 security alarm system contractor license, has been lawfully engaged
6 in either or both of the following:

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

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

17 (i) ~~Has posted with~~ PROVIDED the department a ~~THE~~ bond
18 ~~provided for in this act.~~ OR SURETY REQUIRED UNDER SECTION 9.

19 (j) Has not been adjudged insane, unless HE OR SHE HAS BEEN
20 ADJUDGED restored to sanity by court order.

21 (k) ~~Does not have~~ IS NOT SUBJECT TO any outstanding warrants
22 for his or her arrest.

23 (2) ~~In the case of a sole proprietorship, firm, partnership,~~
24 ~~company, or corporation~~ IF A PERSON now doing or seeking to do
25 business in this state IS APPLYING FOR A LICENSE UNDER THIS
26 SECTION, the resident manager shall comply with the applicable
27 qualifications of this section.

1 (3) AS USED IN THIS SECTION, "ARMED FORCES" MEANS THAT TERM AS
2 DEFINED IN SECTION 2 OF THE VETERAN RIGHT TO EMPLOYMENT SERVICES
3 ACT, 1994 PA 39, MCL 35.1092.