

HOUSE BILL No. 5590

May 1, 2012, Introduced by Reps. Graves, Tyler, Somerville, Kowall, McMillin, Denby, Rendon, LaFontaine, Wayne Schmidt, Nesbitt, Horn, Hughes, Gilbert, Bumstead, Heise, Hooker, Yonker, Jenkins and Kurtz and referred to the Committee on Military and Veterans Affairs and Homeland Security.

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
 10 qualifications:

1 (a) Is not less than 25 years of age.

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

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

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

13 (e) ~~Has~~ **WAS** not been convicted of an offense listed in section
14 10(1)(c) ~~within 5 years before~~ **IN THE 5-YEAR PERIOD PRECEDING** the
15 date of application.

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

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

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

24 (ii) ~~In~~ **WAS ENGAGED IN** the private security guard or agency
25 business for a period of ~~not less than~~ **AT LEAST** 4 years as an
26 employee of the holder of a certificate of authority to conduct a
27 private security guard or agency business and has ~~had~~ experience

1 reasonably equivalent to ~~not less than~~ **AT LEAST** 4 years of full-
2 time guard work in a supervisory capacity with rank above that of
3 patrolman.

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

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

15 (v) **SERVED AS A MILITARY POLICE OFFICER, OR IN AN EQUIVALENT**
16 **LAW ENFORCEMENT POSITION, FOR AT LEAST 2 YEARS WHILE ON ACTIVE DUTY**
17 **AS A MEMBER OF THE ARMED FORCES AND WAS HONORABLY DISCHARGED FROM**
18 **THAT MILITARY SERVICE. AS USED IN THIS SUBPARAGRAPH, "ARMED FORCES"**
19 **MEANS THAT TERM AS DEFINED IN SECTION 2 OF THE VETERAN RIGHT TO**
20 **EMPLOYMENT SERVICES ACT, 1994 PA 39, MCL 35.1092.**

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

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

26 (ii) ~~The~~ **A** security alarm system contractor business for a
27 period of not less than 4 years as an employee of the holder of a

1 certificate of authority to conduct a security alarm system
2 contractor business, and has ~~had~~ experience reasonably equivalent
3 to at least 4 years of full-time work in a supervisory capacity or
4 passes a written exam administered by the department designed to
5 measure his or her knowledge and training in security alarm
6 systems.

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

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

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

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