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BILL



ANALYSIS

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House Bill 4588 (Substitute H-1 as passed by the House)
Sponsor: Representative Kurt Heise
House Committee: Judiciary
Senate Committee: Judiciary

Date Completed: 9-20-16

CONTENT

The bill would amend the Private Security Business and Security Alarm Act to do the following:

- **Allow a private college security officer appointed under the Act to be sworn and fully empowered by a local chief of police or deputized by a county sheriff.**
- **Allow a private college security officer who was sworn and fully empowered under the bill to exercise the authority and power of a peace officer.**
- **Specify that, unless sworn and fully empowered under the bill, a private college security officer would have the limited arrest authority otherwise allowed under the Act.**

The bill is tie-barred to Senate Bill 92, which would amend the Commission on Law Enforcement Standards Act to revise the licensure of police officers.

Sworn Officers

The Private Security Business and Security Alarm Act permits a private college or university that has students residing in college or university housing to authorize a private college security force through action of its governing board. The governing board may not create such a force unless it obtains the approval of certain local officials. The Department of State Police administers the licensure of private college security forces. Private college security officers have the power to make arrests only on property owned or leased by the private college or university and they are not certified as law enforcement officers.

The bill would add Section 37a to the Act to provide that a private college security officer appointed under the Act could be sworn and fully empowered by the chief of police of a village, city, or township law enforcement agency, or deputized by a sheriff as a deputy sheriff (excluding deputation as a special deputy) as provided in Section 9d of the Commission on Law Enforcement Standards Act (which is a section that Senate Bill 92 would amend).

A private college security officer sworn and fully empowered as provided in the bill could exercise the authority and power of a peace officer as prescribed in an oath of office administered by a village, city, or township chief of police or a county sheriff as provided in Section 9d.

(Under Senate Bill 92, as enrolled, Section 9d would provide for the licensure of private college security officers who were sworn and fully empowered by a local chief of police or deputized by a county sheriff.)

Limited Arrest Authority

Currently, upon being appointed by a college or university, a private college security officer has the power to make arrests under Section 30 of the Private Security Business and Security Alarm Act (which allows a licensed private security police officer to make a warrantless arrest when the officer is on the employer's premises). That power may be exercised only on property owned or leased by the private college or university, and those officers are not certified as law enforcement officers under the Commission on Law Enforcement Standards Act. The bill would delete these provisions.

Instead, unless, sworn and fully empowered as provided in Section 37a, upon being appointed by a private college or university licensed under the Private Security Business and Security Alarm Act, private college security officers would have the power to make arrests under Section 30 and could exercise the powers conferred in the Act only on property owned or leased by the private college or university.

The bill also specifies that, unless sworn and fully empowered as provided in Section 37a, private college security officers would not be law enforcement officers as defined in the Commission on Law Enforcement Standards Act.

MCL 338.1087 et al.

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Bruce Baker

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