

HOUSE BILL No. 4588

May 13, 2015, Introduced by Reps. Heise, Santana, Faris, Kelly, Vaupel and Maturen and referred to the Committee on Judiciary.

A bill to amend 1968 PA 330, entitled
"Private security business and security alarm act,"
by amending sections 37 and 39 (MCL 338.1087 and 338.1089), as
added by 2010 PA 68, and by adding section 37a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 37. (1) This section and sections 38 to 42 apply only to
2 private college security forces.

3 (2) Consistent with this act, a private college or university
4 in this state that has students residing in college or university
5 housing **MAY**, through action of its governing board, ~~may~~ authorize a
6 private college security force. The action of the governing board
7 shall do all of the following:

8 (a) Authorize a private college security force.

9 (b) Authorize appointment of persons to be members of that

1 private college security force.

2 (c) Authorize the assignment of duties, including the
3 enforcement of college or university regulations, **AND STATE AND**
4 **LOCAL LAW UNDER SECTION 37A.**

5 (d) Prescribe the oath of office.

6 (e) Limit employment to those individuals who meet the
7 requirements of subsections (4), (5), (6), and (7). ~~and section 40.~~

8 (3) A person appointed under subsection (2) shall be known and
9 designated as a private college security officer and ~~is fully~~
10 ~~empowered under this~~ **MAY** act as a private college security officer
11 upon being appointed by a private college or university licensed
12 under this act.

13 (4) Except as provided in subsection (7), private college
14 security officers must meet the selection qualifications prescribed
15 in R 28.14203, R 28.14204, and R 28.14209 of the Michigan
16 administrative code, and must meet the standards and requirements
17 applicable to at least 1 category of recruits as set forth in R
18 28.14313 (military preservice recruits), R 28.14314 (basic
19 recruits), R 28.14315 (preservice recruits and preservice college
20 recruits), R 28.14316 (preservice college recruits), and R 28.14317
21 (agency basic recruits) of the Michigan administrative code, as
22 promulgated by the commission.

23 (5) Private college security forces are subject to the
24 provisions of R 28.14318, R 28.14319, and R 28.14320 of the
25 Michigan administrative code, as promulgated by the commission.

26 (6) Except as provided in subsection (7), private college
27 security officers may participate in the recognition of prior basic

1 law enforcement training and experience program as prescribed in R
2 28.14401, R 28.14402, R 28.14403, R 28.14404, R 28.14405, R
3 28.14406, R 28.14407, R 28.14408, R 28.14409, R 28.14410, R
4 28.14413, and R 28.14414 of the Michigan administrative code, as
5 promulgated by the commission.

6 (7) Subsections (4), (5), and (6) do not apply to an
7 individual who meets all of the following requirements:

8 (a) He or she is employed as a security officer by a private
9 college or university on ~~the effective date of this act~~ **JULY 12,**
10 **1968.**

11 (b) He or she is certified as a law enforcement officer by the
12 commission on ~~the effective date of this act~~ **JULY 12, 1968** or was
13 previously certified as a law enforcement officer by the commission
14 while employed by the private college or university as a law
15 enforcement officer but that certification became void during that
16 period of employment.

17 (c) The private college or university authorizes the creation
18 of a private college security force under this act.

19 (8) Investigations conducted to determine if a candidate for
20 appointment as a private college security officer meets the
21 selection qualifications, standards, and requirements in subsection
22 (4) are governed by R 28.14601, R 28.14602, R 28.14603, R 28.14604,
23 R 28.14606, R 28.14608, and R 28.14609 of the Michigan
24 administrative code, as promulgated by the commission. This section
25 ~~shall not be interpreted to~~ **DOES NOT** require the commission to
26 conduct the investigation or review of an applicant for employment
27 as a private college security officer.

1 (9) The governing board of a private college or university
2 that creates a private college security force under this section
3 may be subject to a fee payable to the commission under section
4 10(2) of the commission on law enforcement standards act, 1965 PA
5 203, MCL 28.610.

6 **SEC. 37A. (1) EXCEPT AS PROVIDED IN SUBSECTION (3), A PRIVATE**
7 **COLLEGE SECURITY OFFICER APPOINTED UNDER SECTION 37 MAY EXERCISE**
8 **THE AUTHORITY AND POWERS OF A PEACE OFFICER OUTSIDE THE**
9 **GEOGRAPHICAL BOUNDARIES OF THE OFFICER'S PRIVATE COLLEGE OR**
10 **UNIVERSITY ONLY UNDER ANY OF THE FOLLOWING CIRCUMSTANCES:**

11 **(A) IF THE OFFICER IS ENFORCING THE LAWS OF THIS STATE IN**
12 **CONJUNCTION WITH THE DEPARTMENT OF STATE POLICE.**

13 **(B) IF THE OFFICER IS ENFORCING THE LAWS OF THIS STATE IN**
14 **CONJUNCTION WITH A PEACE OFFICER OF ANY OTHER COUNTY, CITY,**
15 **VILLAGE, TOWNSHIP, OR UNIVERSITY IN WHICH THE OFFICER MAY BE**
16 **PRESENT.**

17 **(C) IF THE OFFICER HAS WITNESSED AN INDIVIDUAL VIOLATE ANY OF**
18 **THE FOLLOWING WITHIN THE GEOGRAPHICAL BOUNDARIES OF THE OFFICER'S**
19 **PRIVATE COLLEGE OR UNIVERSITY AND IMMEDIATELY PURSUES THE**
20 **INDIVIDUAL OUTSIDE THE GEOGRAPHICAL BOUNDARIES OF THE OFFICER'S**
21 **PRIVATE COLLEGE OR UNIVERSITY:**

22 **(i) A STATE LAW OR ADMINISTRATIVE RULE.**

23 **(ii) A LOCAL ORDINANCE.**

24 **(iii) A STATE LAW, ADMINISTRATIVE RULE, OR LOCAL ORDINANCE,**
25 **THE VIOLATION OF WHICH IS A CIVIL INFRACTION, MUNICIPAL CIVIL**
26 **INFRACTION, OR STATE CIVIL INFRACTION.**

27 **(2) THE OFFICER PURSUING AN INDIVIDUAL UNDER SUBSECTION (1) (C)**

1 MAY STOP AND DETAIN THE PERSON OUTSIDE THE GEOGRAPHICAL BOUNDARIES
2 OF THE OFFICER'S PRIVATE COLLEGE OR UNIVERSITY FOR THE PURPOSE OF
3 ENFORCING THAT LAW, ADMINISTRATIVE RULE, OR ORDINANCE BEFORE,
4 DURING, OR IMMEDIATELY AFTER DETAINING THE INDIVIDUAL. IF THE
5 VIOLATION OR PURSUIT INVOLVES A VESSEL MOVING ON THE WATERS OF THIS
6 STATE, THE OFFICER PURSUING THE INDIVIDUAL MAY DIRECT THE OPERATOR
7 OF THE VESSEL TO BRING THE VESSEL TO A STOP OR MANEUVER IT IN A
8 MANNER THAT PERMITS THE OFFICER TO COME BESIDE THE VESSEL.

9 (3) A PRIVATE COLLEGE SECURITY OFFICER MAY EXERCISE THE
10 AUTHORITY AND POWERS OF A PEACE OFFICER OUTSIDE THE GEOGRAPHICAL
11 BOUNDARIES OF THE OFFICER'S PRIVATE COLLEGE OR UNIVERSITY IN
12 CIRCUMSTANCES OTHER THAN THOSE DESCRIBED IN SUBSECTIONS (1) AND (2)
13 IF ALL OF THE FOLLOWING CONDITIONS ARE MET:

14 (A) THE OFFICER MEETS THE MINIMUM STANDARDS TO BE CERTIFIED AS
15 A LAW ENFORCEMENT OFFICER UNDER SECTION 9 OF THE COMMISSION ON LAW
16 ENFORCEMENT STANDARDS ACT, 1965 PA 203, MCL 28.609, AND R 28.14101
17 TO R 28.14702 OF THE MICHIGAN ADMINISTRATIVE CODE.

18 (B) THE OFFICER IS DEPUTIZED BY THE SHERIFF OR SHERIFFS OF THE
19 COUNTY OR COUNTIES IN WHICH THE LAND OF THE PRIVATE COLLEGE OR
20 UNIVERSITY IS LOCATED AND IN WHICH THE OFFICER WILL WORK, UNDER
21 SECTION 70 OF 1846 RS 14, MCL 51.70.

22 (C) THE DEPUTATION IS MADE PURSUANT TO A WRITTEN AGREEMENT
23 THAT INCLUDES ANY TERMS THAT THE DEPUTIZING AUTHORITY MAY REQUIRE
24 OF THE GOVERNING BOARD OF THE PRIVATE COLLEGE OR UNIVERSITY.

25 (D) THE WRITTEN AGREEMENT IS FILED WITH THE COMMISSION.

26 (E) IF THE PROPERTY OF THE PRIVATE COLLEGE OR UNIVERSITY IS
27 LOCATED ENTIRELY WITHIN 1 CITY, THE DEPUTATION MUST BE APPROVED BY

1 THE CHIEF OF POLICE OF THAT CITY. IF THE PROPERTY OF THE PRIVATE
2 COLLEGE OR UNIVERSITY IS NOT LOCATED ENTIRELY WITHIN 1 CITY, THE
3 DEPUTATION MUST BE APPROVED BY THE CHIEF OF POLICE OF EACH CITY
4 WITHIN WHICH THE PRIVATE COLLEGE OR UNIVERSITY OWNS, MAINTAINS, OR
5 CONTROLS PROPERTY.

6 Sec. 39. Upon being appointed under section 37 by a private
7 college or university licensed under this act, private college
8 security officers have the power to make arrests as provided in
9 section 30. ~~That~~ **EXCEPT AS PROVIDED IN SECTION 37A, THAT** power may
10 **SHALL** be exercised only on property owned or leased by the private
11 college or university wherever situated. ~~Private~~ **EXCEPT FOR THOSE**
12 **OFFICERS MEETING THE STANDARDS UNDER SECTION 9 OF THE COMMISSION ON**
13 **LAW ENFORCEMENT STANDARDS ACT, 1965 PA 203, MCL 28.609, AND**
14 **DEPUTIZED AS PROVIDED IN SECTION 37A, PRIVATE** college security
15 officers are not certified as law enforcement officers under the
16 commission on law enforcement standards act, 1965 PA 203, MCL
17 28.601 to 28.616.