

HOUSE BILL No. 5499

March 22, 2016, Introduced by Reps. Cole, Kesto and Tedder and referred to the Committee on Judiciary.

A bill to amend 2001 PA 185, entitled
"Legislative sergeant at arms police powers act,"
by amending section 2 (MCL 4.382).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. (1) Each house of the legislature may commission the
2 sergeant at arms and may commission 1 or more assistant sergeants
3 at arms within that respective house as police officers, to enforce
4 rules adopted by that house and the laws of this state as
5 designated by the senate and the house of representatives,
6 respectively. In performing those enforcement activities,
7 commissioned sergeants at arms and assistant sergeants at arms are
8 vested with the powers, privileges, prerogatives, and immunities

1 conferred upon police officers under the laws of this state.

2 (2) Each sergeant at arms and assistant sergeant at arms
3 commissioned by the senate or the house of representatives as a
4 police officer under subsection (1) has the power to enforce rules
5 adopted by that house and the laws of this state in the following
6 places:

7 (a) The capitol building and capitol grounds.

8 (b) Buildings in which the offices of legislative members or
9 staff are located.

10 (c) Locations where either house of the legislature or a
11 committee or subcommittee of either house is holding a session,
12 meeting, or public hearing, including a reasonable time before and
13 after the session, meeting, or hearing.

14 (d) Legislative parking areas.

15 (e) Areas immediately adjacent to the places described in
16 subdivisions (a) to (d).

17 (3) A sergeant at arms or assistant sergeant at arms
18 commissioned as a police officer under this act shall exercise his
19 or her authority as a police officer at the locations specified in
20 subsection (2)(c) only while actually engaging in his or her duties
21 as the sergeant at arms or an assistant sergeant at arms under the
22 rules adopted by the senate or the house of representatives
23 respectively.

24 (4) The senate may delegate, pursuant to rules of the senate,
25 the authority to commission the sergeant at arms or assistant
26 sergeants at arms as police officers and delegate their
27 responsibilities under subsection (1) to the senate majority

1 leader, the secretary of the senate, or other officers or employees
2 of the senate.

3 (5) The house of representatives may delegate, pursuant to
4 rules of the house of representatives, the authority to commission
5 the sergeant at arms or assistant sergeants at arms as police
6 officers and delegate their responsibilities under subsection (1)
7 to the speaker of the house of representatives, the clerk of the
8 house of representatives, or other officers or employees of the
9 house of representatives.

10 (6) The office of sergeant at arms of each house of the
11 legislature is a law enforcement agency of this state.

12 (7) A sergeant at arms or an assistant sergeant at arms
13 commissioned as a police officer under this act is subject to the
14 training and **LICENSURE OR** certification requirements under the
15 **MICHIGAN** commission on law enforcement standards act, 1965 PA 203,
16 MCL 28.601 to ~~28.616~~-**28.615**.

17 (8) ~~At least~~ **NOT LESS THAN** once per legislative session, the
18 individual designated to supervise the sergeants at arms under
19 house rules and the individual designated to supervise the
20 sergeants at arms under senate rules, or their designees, shall
21 report to the ~~house oversight and operations committee and the~~
22 ~~senate government operations committee~~ **STANDING COMMITTEES OF THE**
23 **HOUSE OF REPRESENTATIVES AND SENATE CONCERNED WITH GOVERNMENT**
24 **OPERATIONS AND OVERSIGHT RESPECTIVELY** on the activities of the
25 sergeants at arms and other matters of interest involving the
26 security and decorum in their respective houses.

27 Enacting section 1. This amendatory act takes effect 90 days

1 after the date it is enacted into law.

2 Enacting section 2. This amendatory act does not take effect
3 unless Senate Bill No. 92 or House Bill No. _____ (request no.
4 00913'15 *) of the 98th Legislature is enacted into law.