

# SENATE BILL No. 92

February 10, 2015, Introduced by Senators SCHUITMAKER, NOFS and O'BRIEN and referred to the Committee on Judiciary.

A bill to amend 1965 PA 203, entitled  
"Commission on law enforcement standards act,"  
by amending sections 1, 2, 3, 5, 6, 7, 9, 9a, 9b, 9c, 10, 11, 12,  
13, and 14 (MCL 28.601, 28.602, 28.603, 28.605, 28.606, 28.607,  
28.609, 28.609a, 28.609b, 28.609c, 28.610, 28.611, 28.612, 28.613,  
and 28.614), sections 1, 3, 5, 6, 7, 11, 12, and 14 as amended and  
sections 9a, 9b, and 9c as added by 1998 PA 237, section 2 as  
amended by 2013 PA 170, section 9 as amended by 2005 PA 239, and  
section 10 as amended by 2010 PA 67; and to repeal acts and parts  
of acts.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 1. This act shall be known and may be cited as the  
2       **"MICHIGAN** commission on law enforcement standards act".

3       Sec. 2. As used in this act:

4       ~~— (a) "Certificate" means a numbered document issued by the~~

~~commission to a person who has received certification under this act.~~

~~—— (b) "Certification" means any of the following:~~

~~—— (i) A determination by the commission that a person meets the law enforcement officer minimum standards to be employed as a commission certified law enforcement officer and that the person is authorized under this act to be employed as a law enforcement officer.~~

~~—— (ii) A determination by the commission that a person was employed as a law enforcement officer before January 1, 1977 and that the person is authorized under this act to be employed as a law enforcement officer.~~

~~—— (iii) A determination by the commission that a person satisfies the requirements set forth in a recommendation of the commission to and approved by the legislature on the feasibility of interstate reciprocity of certification of everyone that was employed as a law enforcement officer of another state within the previous 12 months, and that state maintains standards substantially similar to law enforcement officer minimum standards.~~

**(A) "ADJUDICATION OF GUILT" MEANS ANY OF THE FOLLOWING:**

**(i) ENTRY OF A JUDGMENT OR VERDICT OF GUILTY, OR GUILTY BUT MENTALLY ILL, FOLLOWING A TRIAL.**

**(ii) ENTRY OF A PLEA OF GUILTY OR NOLO CONTENDERE.**

**(iii) ENTRY OF ANY OF THE ADJUDICATIONS SPECIFIED IN SUBPARAGRAPH (i) OR (ii), IN CONJUNCTION WITH AN ORDER ENTERED UNDER SECTION 1 OF CHAPTER XI OF THE CODE OF CRIMINAL PROCEDURE, 1927 PA 175, MCL 771.1, OR ANY OTHER ORDER DELAYING SENTENCE.**

(iv) ENTRY OF ANY OF THE ADJUDICATIONS SPECIFIED IN SUBPARAGRAPH (i) OR (ii), IN CONJUNCTION WITH AN ASSIGNMENT TO THE STATUS OF YOUTHFUL TRAINEE UNDER THE HOLMES YOUTHFUL TRAINEE ACT, AS PROVIDED IN SECTION 11 OF CHAPTER II OF THE CODE OF CRIMINAL PROCEDURE, 1927 PA 175, MCL 762.11.

(v) ENTRY OF ANY OF THE ADJUDICATIONS SPECIFIED IN SUBPARAGRAPH (i) OR (ii), IN CONJUNCTION WITH PROBATION UNDER SECTION 7411 OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.7411.

(vi) ENTRY OF ANY OF THE ADJUDICATIONS SPECIFIED IN SUBPARAGRAPH (i) OR (ii), IN CONJUNCTION WITH PROBATION UNDER SECTION 4A OF CHAPTER IX OF THE CODE OF CRIMINAL PROCEDURE, 1927 PA 175, MCL 769.4A.

(B) ~~(e)~~ "Commission" means the MICHIGAN commission on law enforcement standards created in ~~section 3.~~ **THIS ACT OR, BY EXPRESS DELEGATION OF THE MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS, ITS EXECUTIVE DIRECTOR AND STAFF.**

(C) ~~(d)~~ "Contested case" means that term as defined in section 3 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.203.

(D) ~~(e)~~ "Executive director" means the executive director of the commission appointed under ~~section 12.~~ **THIS ACT.**

~~(f) "Felony" means a violation of a penal law of this state or another state that is either of the following:~~

~~(i) Punishable by a term of imprisonment greater than 1 year.~~

~~(ii) Expressly designated a felony by statute.~~

~~(g) "Fund" means the law enforcement officers training fund created in section 13.~~

~~———— (h) "Law enforcement officer minimum standards" means standards established by the commission under this act that a person must meet to be eligible for certification under section 9a(1)."~~

~~———— (i) "Law enforcement officer of a Michigan Indian tribal police force" means a regularly employed member of a police force of a Michigan Indian tribe who was appointed under former 25 CFR 12.100 to 12.103."~~

~~———— (j) "Michigan Indian tribe" means a federally recognized Indian tribe that has trust lands located within this state."~~

(E) "LAW ENFORCEMENT AGENCY" MEANS AN ENTITY THAT IS ESTABLISHED AND MAINTAINED IN ACCORDANCE WITH THE LAWS OF THIS STATE AND IS AUTHORIZED BY THE LAWS OF THIS STATE TO APPOINT OR EMPLOY LAW ENFORCEMENT OFFICERS.

(F) "LAW ENFORCEMENT OFFICER" MEANS:

(i) EXCEPT AS PROVIDED IN SUBPARAGRAPH (ii), AN INDIVIDUAL EMPLOYED BY A LAW ENFORCEMENT AGENCY AS 1 OR MORE OF THE FOLLOWING:

(A) AN INDIVIDUAL AUTHORIZED BY LAW, INCLUDING COMMON LAW, TO PREVENT AND DETECT CRIME AND ENFORCE THE GENERAL CRIMINAL LAWS OF THIS STATE. THIS DOES NOT INCLUDE AN INDIVIDUAL SERVING SOLELY BECAUSE HE OR SHE OCCUPIES ANY OTHER OFFICE OR POSITION.

(B) AN INDIVIDUAL EMPLOYED AS A MICHIGAN TRIBAL LAW ENFORCEMENT OFFICER BY A FEDERALLY RECOGNIZED INDIAN TRIBE THAT HAS TRUST LANDS LOCATED WITHIN THIS STATE, SUBJECT TO A WRITTEN INSTRUMENT AUTHORIZING THE INDIVIDUAL TO ENFORCE THE LAWS OF THIS STATE.

(C) THE SERGEANT AT ARMS OR ANY ASSISTANT SERGEANT AT ARMS OF

1 EITHER HOUSE OF THE LEGISLATURE WHO IS COMMISSIONED AS A POLICE  
2 OFFICER BY THAT RESPECTIVE HOUSE OF THE LEGISLATURE AS PROVIDED BY  
3 THE LEGISLATIVE SERGEANT AT ARMS POLICE POWERS ACT, 2001 PA 185,  
4 MCL 4.381 TO 4.382.

5 (D) A LAW ENFORCEMENT OFFICER OF A MULTICOUNTY METROPOLITAN  
6 DISTRICT AS PROVIDED UNDER SECTION 3 OF THE PUBLIC BODY LAW  
7 ENFORCEMENT AGENCY ACT, 2004 PA 378, MCL 28.583, SUBJECT TO THE  
8 LIMITATIONS OF SECTION 9(1).

9 (E) A COUNTY PROSECUTING ATTORNEY'S INVESTIGATOR SWORN AND  
10 FULLY EMPOWERED BY THE SHERIFF OF THAT COUNTY AS PROVIDED UNDER  
11 ARTICLE VII OF THE STATE CONSTITUTION OF 1963 AND SECTION 70 OF  
12 1846 RS 14, MCL 51.70.

13 (F) A FIRE ARSON INVESTIGATOR FROM A FIRE DEPARTMENT WITHIN A  
14 VILLAGE, CITY, TOWNSHIP, OR COUNTY WHO IS SWORN AND FULLY EMPOWERED  
15 BY THE CHIEF OF POLICE OF THAT VILLAGE, CITY, TOWNSHIP, OR COUNTY.

16 (G) OFFICERS AND INVESTIGATORS APPOINTED BY STATE DEPARTMENTS  
17 REPRESENTED ON THE MICHIGAN HIGHWAY RECIPROCITY BOARD AS PROVIDED  
18 UNDER SECTION 15 OF 1960 PA 124, MCL 3.175.

19 (H) A SUPERINTENDENT, WATCHPERSON, OR GUARD APPOINTED OR  
20 CHOSEN AS PROVIDED UNDER SECTIONS 1 AND 3 OF 1905 PA 80, MCL 19.141  
21 AND 19.143.

22 (I) A COMMISSIONER OR OFFICER OF THE DEPARTMENT OF STATE  
23 POLICE APPOINTED AS PROVIDED UNDER SECTION 6 OF 1935 PA 59, MCL  
24 28.6.

25 (J) A CONSERVATION OFFICER APPOINTED BY THE DEPARTMENT OF  
26 STATE POLICE AS PROVIDED UNDER SECTION 6A OF 1935 PA 59, MCL 28.6A.

27 (K) AN OFFICER APPOINTED BY A PUBLIC BODY AS PROVIDED UNDER

1 SECTION 3 OF THE PUBLIC BODY LAW ENFORCEMENT AGENCY ACT, 2004 PA  
2 378, MCL 28.583.

3 (L) A GENERAL LAW TOWNSHIP CONSTABLE APPOINTED TO PERFORM BOTH  
4 STATUTORY CRIMINAL AND CIVIL DUTIES AS PROVIDED UNDER SECTION 82 OF  
5 1846 RS 16, MCL 41.82.

6 (M) AN OFFICER APPOINTED TO A GENERAL LAW TOWNSHIP POLICE  
7 DEPARTMENT AS PROVIDED UNDER SECTION 6 OF 1951 PA 33, MCL 41.806.

8 (N) A MARSHAL, POLICEMAN, WATCHMAN, OR OFFICER APPOINTED TO A  
9 CHARTER TOWNSHIP POLICE FORCE AS PROVIDED UNDER SECTION 12 OF THE  
10 CHARTER TOWNSHIP ACT, 1947 PA 359, MCL 42.12.

11 (O) A PARK RANGER APPOINTED BY A COUNTY OR REGIONAL PARKS AND  
12 RECREATION COMMISSION AS PROVIDED UNDER SECTION 14 OF 1965 PA 261,  
13 MCL 46.364.

14 (P) A SHERIFF ELECTED AS PROVIDED UNDER ARTICLE VII OF THE  
15 STATE CONSTITUTION OF 1963 OR APPOINTED AS PROVIDED UNDER ARTICLE V  
16 OF THE STATE CONSTITUTION OF 1963.

17 (Q) AN UNDERSHERIFF OR DEPUTY SHERIFF APPOINTED AS PROVIDED  
18 UNDER SECTION 70 OF 1846 RS 14, MCL 51.70.

19 (R) A POLICE OFFICER APPOINTED BY A GENERAL LAW VILLAGE AS  
20 PROVIDED UNDER SECTION 13 OF THE GENERAL LAW VILLAGE ACT, 1895 PA  
21 3, MCL 70.13.

22 (S) A POLICE OFFICER APPOINTED BY A HOME RULE VILLAGE AS  
23 PROVIDED UNDER SECTION 22 OF THE HOME RULE VILLAGE ACT, 1909 PA  
24 278, MCL 78.22.

25 (T) A MARSHAL APPOINTED TO SERVE AS CHIEF OF POLICE OF A  
26 FOURTH CLASS CITY AS PROVIDED UNDER SECTION 16 OF CHAPTER I OF THE  
27 FOURTH CLASS CITY ACT, 1895 PA 215, MCL 87.16.

1 (U) A CONSTABLE APPOINTED BY A FOURTH CLASS CITY AS PROVIDED  
2 UNDER SECTION 24 OF CHAPTER VII OF THE FOURTH CLASS CITY ACT, 1895  
3 PA 215, MCL 87.24.

4 (V) A POLICE CHIEF, POLICEMAN, OR NIGHTWATCHMAN APPOINTED BY A  
5 FOURTH CLASS CITY AS PROVIDED UNDER SECTION 1 OF CHAPTER XII OF THE  
6 FOURTH CLASS CITY ACT, 1895 PA 215, MCL 92.1.

7 (W) A POLICE OFFICER OR CONSTABLE APPOINTED BY A HOME RULE  
8 CITY AS PROVIDED UNDER SECTIONS 3 AND 32 OF THE HOME RULE CITY ACT,  
9 1909 PA 279, MCL 117.3 AND 117.32.

10 (X) AN AIRPORT LAW ENFORCEMENT OFFICER, GUARD, OR POLICE  
11 OFFICER APPOINTED BY A PUBLIC AIRPORT AUTHORITY AS PROVIDED UNDER  
12 SECTION 116 OF THE AERONAUTICS CODE OF THE STATE OF MICHIGAN, 1945  
13 PA 327, MCL 259.116.

14 (Y) A CONSERVATION OFFICER APPOINTED BY THE DIRECTOR OF THE  
15 DEPARTMENT OF NATURAL RESOURCES AS PROVIDED UNDER SECTION 1 OF 1986  
16 PA 109, MCL 300.21, OR SECTIONS 1501, 1601, AND 1606(1) OF THE  
17 NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT, 1994 PA 451,  
18 MCL 324.1501, 324.1601, AND 324.1606.

19 (Z) A PUBLIC SAFETY OFFICER APPOINTED TO A DEPARTMENT OF  
20 PUBLIC SAFETY AS PROVIDED UNDER SECTION 1606B OF THE REVISED SCHOOL  
21 CODE, 1976 PA 451, MCL 380.1606B.

22 (AA) A PUBLIC SAFETY OFFICER APPOINTED BY A COMMUNITY COLLEGE  
23 AS PROVIDED UNDER SECTION 128 OF THE COMMUNITY COLLEGE ACT OF 1966,  
24 1966 PA 331, MCL 389.128.

25 (BB) A PUBLIC SAFETY OFFICER APPOINTED BY THE BOARD OF CONTROL  
26 OF SAGINAW VALLEY STATE UNIVERSITY AS PROVIDED UNDER SECTION 5A OF  
27 1965 PA 278, MCL 390.715A.

1 (CC) A PUBLIC SAFETY OFFICER APPOINTED BY THE BOARD OF CONTROL  
2 OF A HIGHER EDUCATION INSTITUTION AS PROVIDED UNDER SECTION 1 OF  
3 1990 PA 120, MCL 390.1511.

4 (DD) AN INVESTIGATOR APPOINTED BY THE ATTORNEY GENERAL AS  
5 PROVIDED UNDER SECTION 10 OF THE MEDICAID FALSE CLAIM ACT, 1977 PA  
6 72, MCL 400.610.

7 (EE) AN INVESTIGATOR APPOINTED BY THE ATTORNEY GENERAL AS  
8 PROVIDED UNDER SECTION 8 OF THE HEALTH CARE FALSE CLAIM ACT, 1984  
9 PA 323, MCL 752.1008.

10 (FF) AN INVESTIGATOR APPOINTED BY THE ATTORNEY GENERAL AS  
11 PROVIDED UNDER SECTION 35 OF 1846 RS 12, MCL 14.35.

12 (GG) A RAILROAD POLICE OFFICER ACTING AS PROVIDED UNDER  
13 SECTION 367 OF THE RAILROAD CODE OF 1993, 1993 PA 354, MCL 462.367.

14 (HH) AN INSPECTOR APPOINTED BY THE STATE TRANSPORTATION  
15 COMMISSION AS PROVIDED UNDER SECTION 13 OF THE MOTOR CARRIER ACT,  
16 1933 PA 254, MCL 479.13.

17 (II) A LAW ENFORCEMENT OFFICER LICENSED UNDER THIS ACT WHOSE  
18 DUTIES ARE PERFORMED IN CONJUNCTION WITH A JOINDER OF 2 OR MORE  
19 MUNICIPAL CORPORATIONS UNDER SECTION 1 OF 1951 PA 35, MCL 124.1.

20 (JJ) A LAW ENFORCEMENT OFFICER LICENSED UNDER THIS ACT WHOSE  
21 DUTIES ARE PERFORMED IN CONJUNCTION WITH AN INTERLOCAL AGREEMENT  
22 ENTERED INTO UNDER THE URBAN COOPERATION ACT OF 1967, 1967 (EX  
23 SESS) PA 7, MCL 124.501 TO 124.512.

24 (KK) A LAW ENFORCEMENT OFFICER LICENSED UNDER THIS ACT WHOSE  
25 DUTIES ARE PERFORMED IN CONJUNCTION WITH A TRANSFER OF FUNCTIONS OR  
26 RESPONSIBILITIES UNDER 1967 (EX SESS) PA 8, MCL 124.531 TO 124.536.

27 (LL) A LAW ENFORCEMENT OFFICER LICENSED UNDER THIS ACT WHOSE



1 DUTIES HAVE BEEN TRANSFERRED TO AN AUTHORITY AND WHO IS GIVEN A  
2 COMPARABLE POSITION OF EMPLOYMENT WITH THAT AUTHORITY AS PROVIDED  
3 UNDER 1988 PA 57, MCL 124.601 TO 124.614.

4 (ii) "LAW ENFORCEMENT OFFICER" DOES NOT INCLUDE ANY OF THE  
5 FOLLOWING:

6 (A) A GENERAL LAW TOWNSHIP CONSTABLE APPOINTED AS A DISTRICT  
7 COURT OFFICER OR APPOINTED TO PERFORM CIVIL DUTIES, BUT NOT  
8 STATUTORY CRIMINAL DUTIES, AS PROVIDED IN SECTION 82 OF 1846 RS 16,  
9 MCL 41.82.

10 (B) A TEMPORARY POLICEMAN APPOINTED UNDER SECTION 2 OF CHAPTER  
11 XII OF THE FOURTH CLASS CITY ACT, 1895 PA 215, MCL 92.2.

12 (C) AN INDIVIDUAL AUTHORIZED TO ISSUE CITATIONS AS A VOLUNTEER  
13 AS PROVIDED UNDER SECTION 675D OF THE MICHIGAN VEHICLE CODE, 1949  
14 PA 300, MCL 257.675D.

15 (D) A SECURITY EMPLOYEE APPOINTED BY THE DIRECTOR OF THE  
16 DEPARTMENT OF STATE POLICE AS PROVIDED UNDER SECTION 6C OF 1935 PA  
17 59, MCL 28.6C.

18 (E) A MOTOR CARRIER OFFICER APPOINTED BY THE DEPARTMENT OF  
19 STATE POLICE AS PROVIDED IN SECTION 6D OF 1935 PA 59, MCL 28.6D,  
20 SECTION 5 OF 1956 PA 62, MCL 257.955, AND SECTION 73 OF 1990 PA  
21 187, MCL 257.1873.

22 (F) THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE GRANTED  
23 PEACE OFFICER AUTHORITY AS PROVIDED IN SECTION 9H OF THE MOTOR  
24 FUELS QUALITY ACT, 1984 PA 44, MCL 290.649H.

25 (G) AN AGENT OF THE DEPARTMENT OF LICENSING AND REGULATORY  
26 AFFAIRS GRANTED PEACE OFFICER AUTHORITY AS PROVIDED IN SECTION 27  
27 OF THE PRIVATE SECURITY BUSINESS AND SECURITY ALARM ACT, 1968 PA

1 330, MCL 338.1077.

2 (H) AN ATTENDANCE OFFICER GRANTED THE POWERS OF A DEPUTY  
3 SHERIFF AS PROVIDED IN SECTION 1571 OF THE REVISED SCHOOL CODE,  
4 1976 PA 451, MCL 380.1571.

5 (I) A PARK AND RECREATION OFFICER COMMISSIONED UNDER SECTION  
6 1606(2) OF THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT,  
7 1994 PA 451, MCL 324.1606.

8 (J) A VOLUNTEER CONSERVATION OFFICER APPOINTED BY THE  
9 DEPARTMENT OF NATURAL RESOURCES AS PROVIDED IN SECTION 1607 OF THE  
10 NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT, 1994 PA 451,  
11 MCL 324.1607.

12 (K) A STATE FOREST OFFICER APPOINTED BY THE DIRECTOR OF THE  
13 DEPARTMENT OF NATURAL RESOURCES AS PROVIDED IN SECTION 83107 OF THE  
14 NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT, 1994 PA 451,  
15 MCL 324.83107.

16 (L) A SPECIAL DEPUTY APPOINTED BY A SHERIFF TO DO PARTICULAR  
17 ACTS UNDER SECTION 70 OF 1846 RS 14, MCL 51.70.

18 (M) AN OFFICER APPOINTED TO CONDUCT SALVAGE VEHICLE  
19 INSPECTIONS AS PROVIDED IN SECTION 217C OF THE MICHIGAN VEHICLE  
20 CODE, 1949 PA 300, MCL 257.217C, WHO IS NOT OTHERWISE EMPLOYED AS A  
21 LAW ENFORCEMENT OFFICER.

22 (N) A PRIVATE SECURITY GUARD, PRIVATE SECURITY POLICE OFFICER,  
23 OR PRIVATE COLLEGE SECURITY FORCE OFFICER EMPLOYED OR APPOINTED AS  
24 PROVIDED IN THE PRIVATE SECURITY BUSINESS AND SECURITY ALARM ACT,  
25 1968 PA 330, MCL 338.1051 TO 338.1092.

26 (O) THE ATTORNEY GENERAL.

27 (P) THE SECRETARY OF STATE.

1 (Q) A MEMBER OF THE HIGHWAY RECIPROCITY BOARD GRANTED PEACE  
2 OFFICER AUTHORITY UNDER SECTION 15 OF 1960 PA 124, MCL 3.175.

3 (R) A MEMBER OF A SHERIFF'S POSSE.

4 (S) A RESERVE OFFICER.

5 (T) AN OFFICER OR INVESTIGATOR APPOINTED BY THE DEPARTMENT OF  
6 STATE UNDER SECTION 213 OF THE MICHIGAN VEHICLE CODE, 1949 PA 300,  
7 MCL 257.213.

8 (U) AN AUTHORIZED AGENT OF THE STATE TRANSPORTATION DEPARTMENT  
9 OR A COUNTY ROAD COMMISSION PERFORMING DUTIES AUTHORIZED UNDER  
10 SECTION 724 OF THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.724.

11 (V) AN ENFORCEMENT OFFICER APPOINTED BY THE AERONAUTICS  
12 COMMISSION UNDER SECTION 55 OF THE AERONAUTICS CODE OF THE STATE OF  
13 MICHIGAN, 1945 PA 327, MCL 259.55.

14 (W) A RAILROAD CONDUCTOR ACTING UNDER SECTION 3 OF 1913 PA 68,  
15 MCL 436.203.

16 (X) AN INSPECTOR AUTHORIZED TO ENFORCE THE MICHIGAN LIQUOR  
17 CONTROL CODE OF 1998, 1998 PA 58, MCL 436.1101 TO 436.2303, AND  
18 RULES PROMULGATED BY THE LIQUOR CONTROL COMMISSION AS PROVIDED IN  
19 SECTION 201 OF THE MICHIGAN LIQUOR CONTROL CODE OF 1998, 1998 PA  
20 58, MCL 436.1201.

21 (Y) AN INDIVIDUAL NOT LICENSED UNDER THIS ACT WHOSE LAW  
22 ENFORCEMENT DUTIES ARE PERFORMED IN CONJUNCTION WITH A JOINDER OF 2  
23 OR MORE MUNICIPAL CORPORATIONS UNDER 1951 PA 35, MCL 124.1 TO  
24 124.13.

25 (Z) AN INDIVIDUAL NOT LICENSED UNDER THIS ACT WHOSE LAW  
26 ENFORCEMENT DUTIES ARE PERFORMED IN CONJUNCTION WITH AN INTERLOCAL  
27 AGREEMENT ENTERED INTO UNDER THE URBAN COOPERATION ACT OF 1967,

1 1967 (EX SESS) PA 7, MCL 124.501 TO 124.512.

2 (AA) AN INDIVIDUAL NOT LICENSED UNDER THIS ACT WHOSE LAW  
3 ENFORCEMENT DUTIES ARE PERFORMED IN CONJUNCTION WITH A TRANSFER OF  
4 FUNCTIONS OR RESPONSIBILITIES UNDER 1967 (EX SESS) PA 8, MCL  
5 124.531 TO 124.536.

6 (BB) AN INDIVIDUAL NOT LICENSED UNDER THIS ACT WHOSE LAW  
7 ENFORCEMENT DUTIES HAVE BEEN TRANSFERRED TO AN AUTHORITY AND WHO IS  
8 GIVEN A COMPARABLE POSITION OF EMPLOYMENT WITH THAT AUTHORITY AS  
9 PROVIDED UNDER 1988 PA 57, MCL 124.601 TO 124.614.

10 (CC) A MARSHAL APPOINTED AS PROVIDED IN SECTION 11 OF 1889 PA  
11 39, MCL 455.61, OR SECTION 15 OF 1929 PA 137, MCL 455.215.

12 (G) "LAW ENFORCEMENT TRAINING ACADEMY" MEANS ANY OF THE  
13 FOLLOWING:

14 (i) AN AGENCY BASIC LAW ENFORCEMENT TRAINING ACADEMY.

15 (ii) A PRESERVICE COLLEGE BASIC LAW ENFORCEMENT TRAINING  
16 ACADEMY.

17 (iii) A REGIONAL BASIC LAW ENFORCEMENT TRAINING ACADEMY.

18 (H) "LICENSE" MEANS DOCUMENTATION OF LICENSURE BY THE  
19 COMMISSION UNDER THIS ACT.

20 (I) "LICENSING STANDARDS" MEANS THE REQUIREMENTS WITH WHICH A  
21 PERSON MUST COMPLY FOR LICENSURE AS A LAW ENFORCEMENT OFFICER UNDER  
22 THIS ACT.

23 (J) "LICENSURE" MEANS A DETERMINATION BY THE COMMISSION THAT  
24 BOTH OF THE FOLLOWING OCCURRED IN COMPLIANCE WITH THIS ACT AND  
25 RULES PROMULGATED UNDER THE AUTHORITY OF THIS ACT:

26 (i) THE PERSON TO WHOM THE LICENSE IS ISSUED COMMENCED  
27 EMPLOYMENT AS A LAW ENFORCEMENT OFFICER, SUBJECT TO A WRITTEN OATH

1 OF OFFICE OR OTHER WRITTEN INSTRUMENT CONFERRING LAW ENFORCEMENT  
2 AUTHORITY.

3 (ii) THE LAW ENFORCEMENT AGENCY EMPLOYING THE INDIVIDUAL, OR  
4 THE LAW ENFORCEMENT AGENCY OR OTHER GOVERNMENTAL AGENCY CONFERRING  
5 LAW ENFORCEMENT AUTHORITY UPON THE INDIVIDUAL, ATTESTED TO THE  
6 COMMISSION THAT THE INDIVIDUAL COMPLIED WITH THE LICENSING  
7 STANDARDS.

8 (K) "MICHIGAN TRIBAL LAW ENFORCEMENT OFFICER" MEANS AN  
9 INDIVIDUAL EMPLOYED AS A LAW ENFORCEMENT OFFICER BY A FEDERALLY  
10 RECOGNIZED INDIAN TRIBE THAT HAS TRUST LANDS LOCATED WITHIN THIS  
11 STATE, SUBJECT TO A WRITTEN INSTRUMENT AUTHORIZING THE INDIVIDUAL  
12 TO ENFORCE THE LAWS OF THIS STATE.

13 (I) ~~(k)~~ "Multicounty metropolitan district" means an entity  
14 authorized and established by state law by 2 or more counties with  
15 a combined population of not less than 3,000,000, for the purpose  
16 of cooperative planning, promoting, acquiring, constructing,  
17 owning, developing, maintaining, or operating parks.

18 ~~—— (l) "Police officer" or "law enforcement officer" means, unless~~  
19 ~~the context requires otherwise, any of the following:~~

20 ~~—— (i) A regularly employed member of a law enforcement agency~~  
21 ~~authorized and established by law, including common law, who is~~  
22 ~~responsible for the prevention and detection of crime and the~~  
23 ~~enforcement of the general criminal laws of this state. Police~~  
24 ~~officer or law enforcement officer does not include a person~~  
25 ~~serving solely because he or she occupies any other office or~~  
26 ~~position.~~

27 ~~—— (ii) A law enforcement officer of a Michigan Indian tribal~~

1 ~~police force, subject to the limitations set forth in section 9(7).~~

2 ~~—— (iii) The sergeant at arms or any assistant sergeant at arms of~~  
 3 ~~either house of the legislature who is commissioned as a police~~  
 4 ~~officer by that respective house of the legislature as provided by~~  
 5 ~~the legislative sergeant at arms police powers act, 2001 PA 185,~~  
 6 ~~MCL 4.381 to 4.382.~~

7 ~~—— (iv) A law enforcement officer of a multicounty metropolitan~~  
 8 ~~district, subject to the limitations of section 9(8).~~

9 ~~—— (v) A county prosecuting attorney's investigator sworn and~~  
 10 ~~fully empowered by the sheriff of that county.~~

11 ~~—— (vi) A fire arson investigator from a fire department within a~~  
 12 ~~village, city, township, or county who is sworn and fully empowered~~  
 13 ~~by the chief of police of that village, city, township, or county.~~

14 (m) "Rule" means a rule promulgated under the administrative  
 15 procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

16 Sec. 3. (1) The **MICHIGAN** commission on law enforcement  
 17 standards is created to carry out the intent of this act.

18 (2) The commission consists of the following ~~11~~ members:

19 (a) The attorney general, or his or her designated  
 20 representative **FROM WITHIN THE DEPARTMENT OF ATTORNEY GENERAL.**

21 (b) The director of the department of state police, or his or  
 22 her designated representative **WHO IS A POLICE OFFICER WITHIN THE**  
 23 **DEPARTMENT OF STATE POLICE.**

24 (c) **THE CHIEF OF A POLICE DEPARTMENT OF A CITY THAT HAS A**  
 25 **POPULATION OF MORE THAN 600,000, OR HIS OR HER DESIGNEE WHO IS A**  
 26 **COMMAND OFFICER WITHIN THAT DEPARTMENT.**

27 (D) ~~(e) Nine~~ **THE FOLLOWING** members appointed by the governor,

1 ~~with the advice and consent of~~ **SUBJECT TO DISAPPROVAL BY** the senate  
 2 **UNDER SECTION 6 OF ARTICLE V OF THE STATE CONSTITUTION OF 1963,** as  
 3 follows:

4 (i) Three individuals selected from a list of ~~6~~ **NOT FEWER THAN**  
 5 9 active voting members of and submitted by the Michigan  
 6 association of chiefs of police. ~~or its successor organization.~~

7 (ii) Three individuals selected from a list of ~~6~~ **NOT FEWER THAN**  
 8 9 elected sheriffs submitted by the Michigan sheriffs' association.  
 9 ~~or its successor organization.~~

10 (iii) **ONE INDIVIDUAL SELECTED FROM A LIST OF NOT FEWER THAN 3**  
 11 **COUNTY PROSECUTING ATTORNEYS SUBMITTED BY THE PROSECUTING ATTORNEYS**  
 12 **ASSOCIATION OF MICHIGAN.**

13 (iv) **ONE INDIVIDUAL SELECTED FROM A LIST OF NOT FEWER THAN 3**  
 14 **INDIVIDUALS SUBMITTED BY THE CRIMINAL DEFENSE ATTORNEYS OF**  
 15 **MICHIGAN.**

16 (v) **ONE INDIVIDUAL SELECTED FROM A LIST OF NOT FEWER THAN 3**  
 17 **INDIVIDUALS SUBMITTED BY THE MICHIGAN STATE POLICE TROOPERS**  
 18 **ASSOCIATION.**

19 (vi) ~~(iii)~~ One individual selected from a list of **NOT FEWER THAN**  
 20 3 names submitted by the Michigan chapter of the fraternal order of  
 21 the police. ~~or its successor organization.~~

22 (vii) ~~(iv)~~ One individual selected from a list of **NOT FEWER THAN**  
 23 3 names submitted by the police officers association of Michigan.  
 24 ~~or its successor organization.~~

25 (viii) ~~(v)~~ One individual selected from a list of **NOT FEWER THAN**  
 26 3 individuals submitted by the ~~Detroit police officers associations~~  
 27 ~~or their successor organizations.~~ **A POLICE ASSOCIATION NOT OTHERWISE**

1 REPRESENTED ON THE COMMISSION REPRESENTING LAW ENFORCEMENT OFFICERS  
2 EMPLOYED BY A LAW ENFORCEMENT AGENCY EMPLOYING MORE THAN 10% OF THE  
3 POLICE OFFICERS IN THIS STATE.

4 (ix) ONE INDIVIDUAL SELECTED FROM A LIST OF NOT LESS THAN 3  
5 INDIVIDUALS NOMINATED BY THE POLICE OFFICERS LABOR COUNCIL OF  
6 MICHIGAN.

7 (x) ONE INDIVIDUAL SELECTED FROM A LIST OF NOT LESS THAN 3  
8 INDIVIDUALS NOMINATED BY THE MICHIGAN ASSOCIATION OF POLICE.

9 (xi) THE GOVERNOR MAY APPOINT ANY INDIVIDUAL MEETING THE  
10 MEMBERSHIP REQUIREMENTS OF THE ORGANIZATIONS LISTED IN  
11 SUBPARAGRAPHS (i) TO (x) IF THE ORGANIZATION PERMITTED TO SUBMIT A  
12 LIST OF INDIVIDUALS FAILS TO SUBMIT A COMPLETE LIST OF QUALIFIED  
13 NOMINEES AT LEAST 30 DAYS BEFORE A VACANCY CREATED BY THE  
14 EXPIRATION OF A TERM, OR NOT LESS THAN 30 DAYS AFTER THE EFFECTIVE  
15 DATE OF ANY OTHER VACANCY.

16 (E) ~~(d)~~ An individual selected under subdivision ~~(e)~~ (D) shall  
17 serve as a commission member only while serving as a member of the  
18 ~~respective organizations in subparagraphs (i) to (v).~~ ORGANIZATION  
19 THAT SUBMITTED HIS OR HER NAME TO THE GOVERNOR FOR APPOINTMENT.

20 (F) MEMBERS OF THE COMMISSION APPOINTED OR REAPPOINTED UNDER  
21 SUBDIVISION (D) (i) TO (x) SHALL BE APPOINTED FOR A TERM OF 4 YEARS.

22 (G) APPOINTMENTS UNDER SUBDIVISION (D) SCHEDULED TO EXPIRE ON  
23 NOVEMBER 1, 2016 ARE EXTENDED THROUGH DECEMBER 31, 2016.

24 (H) THE EXPIRATION DATES OF APPOINTMENTS UNDER SUBDIVISION (D)  
25 SHALL BE DECEMBER 31 OF THE CALENDAR YEAR IN WHICH THEY EXPIRE.

26 ~~—— (3) The terms of the members of the law enforcement officers~~  
27 ~~training council expire on the date that all members of the~~



~~commission on law enforcement standards are appointed.~~

(3) A VACANCY ON THE COMMISSION OCCURRING OTHER THAN BY EXPIRATION OF A TERM SHALL BE FILLED BY THE GOVERNOR IN THE SAME MANNER AS THE ORIGINAL APPOINTMENT FOR THE BALANCE OF THE UNEXPIRED TERM.

Sec. 5. (1) The commission shall elect from among its members a chairperson and a vice-chairperson who shall serve for 1-year terms and who may be reelected.

(2) Membership on the commission does not constitute holding a public office, and members of the commission are not required to take and file oaths of office before serving on the commission.

~~(3) The commission does not have the right to exercise any portion of the sovereign power of the state.~~

(3) ~~(4)~~ A member of the commission is not disqualified from holding any public office or employment by reason of his or her appointment or membership on the commission and shall not forfeit any public office or employment because of his or her appointment to the commission, notwithstanding any general, special, or local law, ordinance, or city charter.

Sec. 6. (1) The commission shall meet not less than 4 times in each year and shall hold special meetings when called by the chairperson or, in the absence of the chairperson, by the vice-chairperson. A special meeting of the commission shall be called by the chairperson upon the written request of 5 members of the commission.

(2) The commission shall establish its own procedures and requirements with respect to quorum, place and conduct of its

1 meetings, and other matters.

2 (3) THE COMMISSION MAY ESTABLISH OTHER PROCEDURES AND  
3 REQUIREMENTS GOVERNING ITS OPERATIONS TO CARRY OUT THE INTENT OF  
4 THIS ACT.

5 (4) ~~(3)~~—The commission's business shall be conducted in  
6 compliance with the open meetings act, 1976 PA 267, MCL 15.261 to  
7 15.275. Public notice of the time, date, and place of the meeting  
8 shall be given in the manner required by the open meetings act,  
9 1976 PA 267, MCL 15.261 to 15.275. ACTION MAY BE TAKEN BY THE  
10 COMMISSION AT A MEETING UPON A VOTE OF THE MAJORITY OF ITS MEMBERS  
11 PRESENT.

12 Sec. 7. The commission shall make an annual report to the  
13 governor that includes pertinent data regarding the law enforcement  
14 officer minimum standards and the degree of participation of  
15 municipalities in the training programs, AS WELL AS ANY OTHER  
16 INFORMATION THE GOVERNOR REQUESTS OR THE COMMISSION CONSIDERS  
17 APPROPRIATE.

18 Sec. 9. ~~(1) The commission shall promulgate rules to establish~~  
19 ~~law enforcement officer minimum standards. The rules do not apply~~  
20 ~~to a member of a sheriff's posse or a police auxiliary temporarily~~  
21 ~~performing his or her duty under the direction of the sheriff or~~  
22 ~~police department. In promulgating the law enforcement officer~~  
23 ~~minimum standards, the commission shall give consideration to the~~  
24 ~~varying factors and special requirements of local police agencies.~~  
25 ~~The law enforcement officer minimum standards shall include all of~~  
26 ~~the following:~~

27 ~~— (a) Minimum standards of physical, educational, mental, and~~

~~moral fitness that govern the recruitment, selection, appointment, and certification of law enforcement officers.~~

~~—— (b) Minimum courses of study, attendance requirements, and instructional hours required at approved police training schools.~~

~~—— (c) Minimum basic training requirements that a person, excluding sheriffs, shall complete before being eligible for certification under section 9a(1).~~

~~—— (2) If a person's certification under section 9a(1) becomes void under section 9a(4)(b), the commission shall waive the requirements described in subsection (1)(b) for certification of the person under section 9a(1) if 1 or more of the following apply:~~

~~—— (a) The person has been employed 1 year or less as a commission certified law enforcement officer and is again employed as a law enforcement officer within 1 year after discontinuing employment as a commission certified law enforcement officer.~~

~~—— (b) The person has been employed more than 1 year but less than 5 years as a commission certified law enforcement officer and is again employed as a law enforcement officer within 18 months after discontinuing employment as a commission certified law enforcement officer.~~

~~—— (c) The person has been employed 5 years or more as a commission certified law enforcement officer and is again employed as a law enforcement officer within 2 years after discontinuing employment as a commission certified law enforcement officer.~~

~~—— (d) The person has successfully completed the mandatory training and has been continuously employed as a law enforcement officer, but through no fault of that person the employing agency~~

~~1 failed to obtain certification for that person as required by this  
2 act.~~

~~3 (3) A commission certified law enforcement officer who is a  
4 member of any of the reserve components of the United States armed  
5 forces and who is called to active duty in the armed forces is not  
6 considered to have discontinued his or her employment as a  
7 commission certified law enforcement officer under section  
8 9a(4)(b). The person's certification under section 9a(1) shall not  
9 become void during that term of active military service. However,  
10 the certification of a certified law enforcement officer described  
11 in this subsection may be revoked under section 9b if the officer  
12 committed an offense during the period of active duty in the armed  
13 forces that resulted in a conviction enumerated in section 9b(1).  
14 As used in this subsection, "reserve components of the United  
15 States armed forces" means that term as defined in section 2 of the  
16 military family relief fund act, 2004 PA 363, MCL 35.1212. This  
17 subsection does not apply to a commission certified law enforcement  
18 officer who volunteers for a term of active military service or who  
19 voluntarily extends a term of active military service that began  
20 when he or she was called to active duty. This subsection does not  
21 apply to a commission certified law enforcement officer who is  
22 dishonorably discharged from a term of active military service.~~

~~23 (4) The commission shall promulgate rules with respect to all  
24 of the following:~~

~~25 (a) The categories or classifications of advanced in service  
26 training programs for commission certified law enforcement officers  
27 and minimum courses of study and attendance requirements for the~~

~~categories or classifications.~~

~~—— (b) The establishment of subordinate regional training centers in strategic geographic locations in order to serve the greatest number of police agencies that are unable to support their own training programs.~~

~~—— (c) The commission's acceptance of certified basic police training and law enforcement experience received by a person in another state in fulfillment in whole or in part of the law enforcement officer minimum standards.~~

~~—— (d) The commission's approval of police training schools administered by a city, county, township, village, corporation, college, community college or university.~~

~~—— (e) The minimum qualifications for instructors at approved police training schools.~~

~~—— (f) The minimum facilities and equipment required at approved police training schools.~~

~~—— (g) The establishment of preservice basic training programs at colleges and universities.~~

~~—— (h) Acceptance of basic police training and law enforcement experience received by a person in fulfillment in whole or in part of the law enforcement officer minimum standards prepared and published by the commission if both of the following apply:~~

~~—— (i) The person successfully completed the basic police training in another state or through a federally operated police training school that was sufficient to fulfill the minimum standards required by federal law to be appointed as a law enforcement officer of a Michigan Indian tribal police force.~~

~~1       (ii) The person is or was a law enforcement officer of a  
2 Michigan Indian tribal police force for a period of 1 year or more.~~

~~3       (5) Except as otherwise provided in this section, a regularly  
4 employed person employed on or after January 1, 1977 as a member of  
5 a police force having a full time officer is not empowered to  
6 exercise all the authority of a peace officer in this state, or be  
7 employed in a position for which the authority of a peace officer  
8 is conferred by statute, unless the person has received  
9 certification under section 9a(1).~~

~~10       (6) A law enforcement officer employed before January 1, 1977  
11 may continue his or her employment as a law enforcement officer and  
12 participate in training programs on a voluntary or assigned basis  
13 but failure to obtain certification under section 9a(1) or (2) is  
14 not grounds for dismissal of or termination of that employment as a  
15 law enforcement officer. A person who was employed as a law  
16 enforcement officer before January 1, 1977 who fails to obtain  
17 certification under section 9a(1) and who voluntarily or  
18 involuntarily discontinues his or her employment as a law  
19 enforcement officer may be employed as a law enforcement officer if  
20 he or she was employed 5 years or more as a law enforcement officer  
21 and is again employed as a law enforcement officer within 2 years  
22 after discontinuing employment as a law enforcement officer.~~

~~23       (7) A law enforcement officer of a Michigan Indian tribal  
24 police force is not empowered to exercise the authority of a peace  
25 officer under the laws of this state and shall not be employed in a  
26 position for which peace officer authority is granted under the  
27 laws of this state unless all of the following requirements are~~

1 met.

2 ~~—— (a) The tribal law enforcement officer is certified under this~~  
3 ~~act.~~

4 ~~—— (b) The tribal law enforcement officer is 1 of the following:~~

5 ~~—— (i) Deputized by the sheriff of the county in which the trust~~  
6 ~~lands of the Michigan Indian tribe employing the tribal law~~  
7 ~~enforcement officer are located, or by the sheriff of any county~~  
8 ~~that borders the trust lands of that Michigan Indian tribe,~~  
9 ~~pursuant to section 70 of 1846 RS 14, MCL 51.70.~~

10 ~~—— (ii) Appointed as a police officer of the state or a city,~~  
11 ~~township, charter township, or village that is authorized by law to~~  
12 ~~appoint individuals as police officers.~~

13 ~~—— (c) The deputation or appointment of the tribal law~~  
14 ~~enforcement officer described in subdivision (b) is made pursuant~~  
15 ~~to a written contract that includes terms the appointing authority~~  
16 ~~under subdivision (b) may require between the state or local law~~  
17 ~~enforcement agency and the tribal government of the Michigan Indian~~  
18 ~~tribe employing the tribal law enforcement officer.~~

19 ~~—— (d) The written contract described in subdivision (c) is~~  
20 ~~incorporated into a self determination contract, grant agreement,~~  
21 ~~or cooperative agreement between the United States secretary of the~~  
22 ~~interior and the tribal government of the Michigan Indian tribe~~  
23 ~~employing the tribal law enforcement officer pursuant to the Indian~~  
24 ~~self determination and education assistance act, Public Law 93-638,~~  
25 ~~88 Stat. 2203.~~

26 ~~—— (8) A law enforcement officer of a multicounty metropolitan~~  
27 ~~district, other than a law enforcement officer employed by a law~~

~~enforcement agency created under the public body law enforcement agency act, is not empowered to exercise the authority of a peace officer under the laws of this state and shall not be employed in a position for which peace officer authority is granted under the laws of this state unless all of the following requirements are met:~~

~~—— (a) The law enforcement officer has met or exceeded minimum standards for certification under this act.~~

~~—— (b) The law enforcement officer is deputized by the sheriff or sheriffs of the county or counties in which the land of the multicounty metropolitan district employing the law enforcement officer is located and in which the law enforcement officer will work, pursuant to section 70 of 1846 RS 14, MCL 51.70.~~

~~—— (c) The deputation or appointment of the law enforcement officer is made pursuant to a written agreement that includes terms the deputizing authority under subdivision (b) may require between the state or local law enforcement agency and the governing board of the multicounty metropolitan district employing the law enforcement officer.~~

~~—— (d) The written agreement described in subdivision (c) is filed with the commission.~~

~~—— (9) A public body that creates a law enforcement agency under the public body law enforcement agency act and that employs 1 or more law enforcement officers certified under this act shall be considered to be a law enforcement agency for purposes of section 9d.~~

~~—— (10) The commission may establish an evaluation or testing~~



~~process, or both, for granting a waiver from the law enforcement officer minimum standards regarding training requirements to a person who has held a certificate under this act and who discontinues employment as a law enforcement officer for a period of time exceeding the time prescribed in subsection (2)(a) to (c) or (6), as applicable.~~

(1) THIS SECTION APPLIES TO ALL LAW ENFORCEMENT OFFICERS EXCEPT INDIVIDUALS TO WHOM SECTIONS 9A, 9B, AND 9C APPLY. EMPLOYMENT OF LAW ENFORCEMENT OFFICERS TO WHOM THIS SECTION APPLIES IS SUBJECT TO THE LICENSING REQUIREMENTS AND PROCEDURES OF THIS SECTION.

(2) THE COMMISSION SHALL PROMULGATE RULES GOVERNING LICENSING STANDARDS AND PROCEDURES FOR INDIVIDUALS LICENSED UNDER THIS SECTION. IN PROMULGATING THE RULES, THE COMMISSION SHALL GIVE CONSIDERATION TO THE VARYING FACTORS AND SPECIAL REQUIREMENTS OF LAW ENFORCEMENT AGENCIES. THE RULES SHALL PERTAIN TO THE FOLLOWING:

(A) TRAINING REQUIREMENTS THAT MAY BE MET BY COMPLETING EITHER OF THE FOLLOWING:

(i) PREENROLLMENT REQUIREMENTS, COURSES OF STUDY, ATTENDANCE REQUIREMENTS, AND INSTRUCTIONAL HOURS AT AN AGENCY BASIC LAW ENFORCEMENT TRAINING ACADEMY, A PRESERVICE COLLEGE BASIC LAW ENFORCEMENT TRAINING ACADEMY, OR A REGIONAL BASIC LAW ENFORCEMENT TRAINING ACADEMY.

(ii) THE RECOGNITION OF PRIOR BASIC LAW ENFORCEMENT TRAINING AND EXPERIENCE PROGRAM FOR GRANTING A WAIVER FROM THE LICENSING STANDARD SPECIFIED IN SUBPARAGRAPH (i) .

(B) PROFICIENCY ON A LICENSING EXAMINATION ADMINISTERED AFTER

1 COMPLIANCE WITH THE LICENSING STANDARD SPECIFIED IN SUBDIVISION

2 (A) .

3 (C) PHYSICAL ABILITY.

4 (D) PSYCHOLOGICAL FITNESS.

5 (E) EDUCATION.

6 (F) READING AND WRITING PROFICIENCY.

7 (G) MINIMUM AGE.

8 (H) VALID OPERATOR'S OR CHAUFFEUR'S LICENSE.

9 (I) CHARACTER FITNESS, AS DETERMINED BY A BACKGROUND  
10 INVESTIGATION SUPPORTED BY A WRITTEN AUTHORIZATION AND RELEASE  
11 EXECUTED BY THE INDIVIDUAL FOR WHOM LICENSURE IS SOUGHT.

12 (J) UNITED STATES CITIZENSHIP.

13 (K) EMPLOYMENT AS A LAW ENFORCEMENT OFFICER.

14 (L) EXECUTION OF A WRITTEN OATH OF OFFICE BY A LAW ENFORCEMENT  
15 AGENCY WITH WHOM THE INDIVIDUAL IS EMPLOYED, CONFERRING AUTHORITY  
16 TO ACT WITH ALL OF THE LAW ENFORCEMENT AUTHORITY DESCRIBED IN THE  
17 LAWS OF THIS STATE UNDER WHICH THE INDIVIDUAL IS EMPLOYED.

18 (3) LICENSURE UNDER THIS SECTION SHALL COMPLY WITH THE  
19 FOLLOWING PROCEDURES:

20 (A) BEFORE EXECUTING THE OATH OF OFFICE, AN EMPLOYING LAW  
21 ENFORCEMENT AGENCY SHALL VERIFY THAT THE INDIVIDUAL TO WHOM THE  
22 OATH IS TO BE ADMINISTERED COMPLIES WITH THE LICENSING STANDARDS.

23 (B) A LAW ENFORCEMENT AGENCY EMPLOYING AN INDIVIDUAL LICENSED  
24 UNDER THIS SECTION SHALL AUTHORIZE THE INDIVIDUAL TO EXERCISE THE  
25 LAW ENFORCEMENT AUTHORITY DESCRIBED IN THE LAWS OF THIS STATE UNDER  
26 WHICH THE INDIVIDUAL IS EMPLOYED, BY EXECUTING A WRITTEN OATH OF  
27 OFFICE.

1 (C) WITHIN 10 CALENDAR DAYS AFTER EXECUTING THE OATH OF  
2 OFFICE, THE EMPLOYING LAW ENFORCEMENT AGENCY SHALL ATTEST IN  
3 WRITING TO THE COMMISSION THAT THE INDIVIDUAL TO WHOM THE OATH WAS  
4 ADMINISTERED COMPLIES WITH THE LICENSING STANDARDS, BY SUBMITTING  
5 AN EXECUTED AFFIDAVIT AND A COPY OF THE EXECUTED OATH OF OFFICE.

6 (D) IF, UPON REVIEWING THE EXECUTED AFFIDAVIT AND EXECUTED  
7 OATH OF OFFICE, THE COMMISSION DETERMINES THAT THE INDIVIDUAL  
8 COMPLIES WITH THE LICENSING STANDARDS, THE COMMISSION SHALL GRANT  
9 THE INDIVIDUAL A LICENSE.

10 (E) IF, UPON REVIEWING THE EXECUTED AFFIDAVIT AND EXECUTED  
11 OATH OF OFFICE, THE COMMISSION DETERMINES THAT THE INDIVIDUAL DOES  
12 NOT COMPLY WITH THE LICENSING STANDARDS, THE COMMISSION MAY DO ANY  
13 OF THE FOLLOWING:

14 (i) SUPERVISE THE REMEDIATION OF ERRORS OR OMISSIONS IN THE  
15 AFFIDAVIT AND OATH OF OFFICE.

16 (ii) SUPERVISE THE REMEDIATION OF ERRORS OR OMISSIONS IN THE  
17 SCREENING, PROCEDURES, EXAMINATIONS, TESTING, AND OTHER MEANS USED  
18 TO VERIFY COMPLIANCE WITH THE LICENSING STANDARDS.

19 (iii) SUPERVISE ADDITIONAL SCREENING, PROCEDURES, EXAMINATIONS,  
20 TESTING, AND OTHER MEANS USED TO DETERMINE COMPLIANCE WITH THE  
21 LICENSING STANDARDS.

22 (iv) DENY THE ISSUANCE OF A LICENSE AND INFORM THE EMPLOYING  
23 LAW ENFORCEMENT AGENCY.

24 (F) UPON BEING INFORMED THAT THE COMMISSION HAS DENIED  
25 ISSUANCE OF A LICENSE, THE EMPLOYING LAW ENFORCEMENT AGENCY SHALL  
26 PROMPTLY INFORM THE INDIVIDUAL DENIED.

27 (4) AN INDIVIDUAL DENIED A LICENSE UNDER THIS SECTION MAY NOT

1 EXERCISE THE LAW ENFORCEMENT AUTHORITY DESCRIBED IN THE LAWS OF  
2 THIS STATE UNDER WHICH THE INDIVIDUAL IS EMPLOYED. THIS SUBSECTION  
3 DOES NOT DIVEST THE INDIVIDUAL OF THAT AUTHORITY UNTIL THE  
4 INDIVIDUAL HAS BEEN INFORMED OF THE DENIAL.

5 (5) A LAW ENFORCEMENT AGENCY THAT HAS ADMINISTERED AN OATH OF  
6 OFFICE TO AN INDIVIDUAL UNDER THIS SECTION SHALL, WITH RESPECT TO  
7 THAT INDIVIDUAL:

8 (A) REPORT TO THE COMMISSION ALL PERSONNEL TRANSACTIONS  
9 AFFECTING EMPLOYMENT STATUS, IN A MANNER PRESCRIBED IN RULES  
10 PROMULGATED BY THE COMMISSION.

11 (B) REPORT TO THE COMMISSION ACTION TAKEN BY THE EMPLOYING  
12 AGENCY THAT REMOVES THE AUTHORITY CONFERRED BY THE OATH OF OFFICE,  
13 AND RESTORATION OF THE INDIVIDUAL'S AUTHORITY TO THAT CONFERRED BY  
14 THE OATH OF OFFICE, IN A MANNER PRESCRIBED IN RULES PROMULGATED BY  
15 THE COMMISSION.

16 (C) MAINTAIN AN EMPLOYMENT HISTORY RECORD.

17 (D) COLLECT, VERIFY, AND MAINTAIN DOCUMENTATION ESTABLISHING  
18 THAT THE INDIVIDUAL COMPLIES WITH THE LICENSING STANDARDS.

19 (6) AN INDIVIDUAL LICENSED UNDER THIS SECTION SHALL:

20 (A) REPORT TO THE COMMISSION CRIMINAL CHARGES FOR OFFENSES FOR  
21 WHICH THAT INDIVIDUAL'S LICENSE MAY BE REVOKED AS DESCRIBED IN THIS  
22 SECTION, UPON BEING INFORMED OF SUCH CHARGES, IN A MANNER  
23 PRESCRIBED IN RULES PROMULGATED BY THE COMMISSION.

24 (B) REPORT TO THE COMMISSION THE IMPOSITION OF A PERSONAL  
25 PROTECTION ORDER AGAINST THAT INDIVIDUAL AFTER A JUDICIAL HEARING  
26 UNDER SECTION 2950 OR 2950A OF THE REVISED JUDICATURE ACT OF 1961,  
27 1961 PA 236, MCL 600.2950 AND 600.2950A, OR UNDER THE LAWS OF ANY

1 OTHER JURISDICTION, UPON BEING INFORMED OF THE IMPOSITION OF SUCH  
2 AN ORDER, IN A MANNER PRESCRIBED IN RULES PROMULGATED BY THE  
3 COMMISSION.

4 (7) A LICENSE ISSUED UNDER THIS SECTION IS RENDERED INACTIVE,  
5 AND MAY BE REACTIVATED, AS FOLLOWS:

6 (A) A LICENSE IS RENDERED INACTIVE IF:

7 (i) AN INDIVIDUAL, HAVING BEEN EMPLOYED AS A LAW ENFORCEMENT  
8 OFFICER IN AGGREGATE FOR LESS THAN 2,080 HOURS, IS THEREAFTER  
9 CONTINUOUSLY NOT EMPLOYED AS A LAW ENFORCEMENT OFFICER FOR LESS  
10 THAN 1 YEAR.

11 (ii) AN INDIVIDUAL, HAVING BEEN EMPLOYED AS A LAW ENFORCEMENT  
12 OFFICER IN AGGREGATE FOR LESS THAN 2,080 HOURS, IS THEREAFTER  
13 CONTINUOUSLY SUBJECTED TO A REMOVAL OF THE AUTHORITY CONFERRED BY  
14 THE OATH OF OFFICE FOR LESS THAN 1 YEAR.

15 (iii) AN INDIVIDUAL, HAVING BEEN EMPLOYED AS A LAW ENFORCEMENT  
16 OFFICER IN AGGREGATE FOR 2,080 HOURS OR LONGER, IS THEREAFTER  
17 CONTINUOUSLY NOT EMPLOYED AS A LAW ENFORCEMENT OFFICER FOR LESS  
18 THAN 2 YEARS.

19 (iv) AN INDIVIDUAL, HAVING BEEN EMPLOYED AS A LAW ENFORCEMENT  
20 OFFICER IN AGGREGATE FOR 2,080 HOURS OR LONGER, IS CONTINUOUSLY  
21 SUBJECTED TO A REMOVAL OF THE AUTHORITY CONFERRED BY THE OATH OF  
22 OFFICE FOR LESS THAN 2 YEARS.

23 (B) AN EMPLOYING LAW ENFORCEMENT AGENCY MAY REACTIVATE A  
24 LICENSE RENDERED INACTIVE BY COMPLYING WITH THE LICENSURE  
25 PROCEDURES DESCRIBED IN SUBSECTION (3), EXCLUDING VERIFICATION OF  
26 AND ATTESTATION TO COMPLIANCE WITH THE LICENSING STANDARDS  
27 DESCRIBED IN SUBSECTION (2) (A) TO (G).

1 (C) A LICENSE THAT HAS BEEN REACTIVATED UNDER THIS SECTION IS  
2 VALID FOR ALL PURPOSES DESCRIBED IN THIS ACT.

3 (8) A LICENSE ISSUED UNDER THIS SECTION IS RENDERED LAPSED,  
4 WITHOUT BARRING FURTHER LICENSURE UNDER THIS ACT, AS FOLLOWS:

5 (A) AN INDIVIDUAL, HAVING BEEN EMPLOYED AS A LAW ENFORCEMENT  
6 OFFICER IN AGGREGATE FOR LESS THAN 2,080 HOURS, IS THEREAFTER  
7 CONTINUOUSLY NOT EMPLOYED AS A LAW ENFORCEMENT OFFICER FOR 1 YEAR.

8 (B) AN INDIVIDUAL, HAVING BEEN EMPLOYED AS A LAW ENFORCEMENT  
9 OFFICER IN AGGREGATE FOR LESS THAN 2,080 HOURS, IS THEREAFTER  
10 CONTINUOUSLY SUBJECTED TO A REMOVAL OF THE AUTHORITY CONFERRED BY  
11 THE OATH OF OFFICE FOR 1 YEAR.

12 (C) AN INDIVIDUAL, HAVING BEEN EMPLOYED AS A LAW ENFORCEMENT  
13 OFFICER IN AGGREGATE FOR 2,080 HOURS OR LONGER, IS THEREAFTER  
14 CONTINUOUSLY NOT EMPLOYED AS A LAW ENFORCEMENT OFFICER FOR 2 YEARS.

15 (D) AN INDIVIDUAL, HAVING BEEN EMPLOYED AS A LAW ENFORCEMENT  
16 OFFICER IN AGGREGATE FOR 2,080 HOURS OR LONGER, IS CONTINUOUSLY  
17 SUBJECTED TO A REMOVAL OF THE AUTHORITY CONFERRED BY THE OATH OF  
18 OFFICE FOR 2 YEARS.

19 (9) THE COMMISSION SHALL REVOKE A LICENSE GRANTED UNDER THIS  
20 SECTION FOR ANY OF THE FOLLOWING AND SHALL PROMULGATE RULES  
21 GOVERNING THESE REVOCATIONS:

22 (A) THE INDIVIDUAL OBTAINED THE LICENSE BY MAKING A MATERIALLY  
23 FALSE ORAL OR WRITTEN STATEMENT OR COMMITTING FRAUD IN AN  
24 AFFIDAVIT, DISCLOSURE, OR APPLICATION TO A LAW ENFORCEMENT TRAINING  
25 ACADEMY, THE COMMISSION, OR A LAW ENFORCEMENT AGENCY AT ANY STAGE  
26 OF RECRUITMENT, SELECTION, APPOINTMENT, ENROLLMENT, TRAINING, OR  
27 LICENSURE APPLICATION.

1 (B) THE INDIVIDUAL OBTAINED THE LICENSE BECAUSE ANOTHER  
2 INDIVIDUAL MADE A MATERIALLY FALSE ORAL OR WRITTEN STATEMENT OR  
3 COMMITTED FRAUD IN AN AFFIDAVIT, DISCLOSURE, OR APPLICATION TO A  
4 LAW ENFORCEMENT TRAINING ACADEMY, THE COMMISSION, OR A LAW  
5 ENFORCEMENT AGENCY AT ANY STAGE OF RECRUITMENT, SELECTION,  
6 APPOINTMENT, ENROLLMENT, TRAINING, OR LICENSURE APPLICATION.

7 (C) THE INDIVIDUAL HAS BEEN SUBJECTED TO AN ADJUDICATION OF  
8 GUILT FOR ANY VIOLATION OR ATTEMPTED VIOLATION OF A PENAL LAW OF  
9 THIS STATE OR ANOTHER JURISDICTION THAT IS PUNISHABLE BY  
10 IMPRISONMENT FOR MORE THAN 1 YEAR.

11 (D) THE INDIVIDUAL HAS BEEN SUBJECTED TO AN ADJUDICATION OF  
12 GUILT FOR VIOLATION OR ATTEMPTED VIOLATION OF ANY OF THE FOLLOWING  
13 PENAL LAWS OF THIS STATE OR LAWS OF ANOTHER JURISDICTION  
14 SUBSTANTIALLY CORRESPONDING TO THEM:

15 (i) MCL 750.81(3) .

16 (ii) MCL 750.81A(1) .

17 (iii) MCL 750.81A(2) .

18 (iv) MCL 750.411H(2) (A) .

19 (v) MCL 333.7403(2) (C) .

20 (vi) MCL 333.7404(2) (A) .

21 (vii) MCL 333.7404(2) (B) .

22 (viii) MCL 333.7404(2) (C) .

23 (ix) MCL 257.625(9) (B) .

24 (10) THE FOLLOWING PROCEDURES AND REQUIREMENTS APPLY TO  
25 LICENSE REVOCATION UNDER THIS SECTION:

26 (A) THE COMMISSION SHALL INITIATE LICENSE REVOCATION  
27 PROCEEDINGS, INCLUDING, BUT NOT LIMITED TO, ISSUANCE OF AN ORDER OF

1 SUMMARY SUSPENSION AND NOTICE OF INTENT TO REVOKE, UPON OBTAINING  
2 NOTICE OF FACTS WARRANTING LICENSE REVOCATION.

3 (B) A HEARING FOR LICENSE REVOCATION SHALL BE CONDUCTED AS A  
4 CONTESTED CASE UNDER THE ADMINISTRATIVE PROCEDURES ACT OF 1969,  
5 1969 PA 306, MCL 24.201 TO 24.328.

6 (C) IN LIEU OF PARTICIPATING IN A CONTESTED CASE, AN  
7 INDIVIDUAL MAY VOLUNTARILY AND PERMANENTLY RELINQUISH HIS OR HER  
8 LAW ENFORCEMENT OFFICER LICENSE BY EXECUTING BEFORE A NOTARY PUBLIC  
9 AN AFFIDAVIT OF LICENSE RELINQUISHMENT PRESCRIBED BY THE  
10 COMMISSION.

11 (D) THE COMMISSION NEED NOT DELAY OR ABATE LICENSE REVOCATION  
12 PROCEEDINGS BASED ON AN ADJUDICATION OF GUILT IF AN APPEAL IS TAKEN  
13 FROM THE ADJUDICATION OF GUILT.

14 (E) IF THE COMMISSION ISSUES A FINAL DECISION OR ORDER TO  
15 REVOKE A LICENSE, THAT DECISION OR ORDER IS SUBJECT TO JUDICIAL  
16 REVIEW AS PROVIDED IN THE ADMINISTRATIVE PROCEDURES ACT OF 1969,  
17 1969 PA 306, MCL 24.201 TO 24.328. A SUMMARY SUSPENSION DESCRIBED  
18 IN THIS SECTION IS NOT A FINAL DECISION OR ORDER FOR PURPOSES OF  
19 JUDICIAL REVIEW.

20 (11) AN INDIVIDUAL LICENSED UNDER THIS SECTION MAY NOT  
21 EXERCISE THE LAW ENFORCEMENT AUTHORITY DESCRIBED IN THE LAWS OF  
22 THIS STATE UNDER WHICH THE INDIVIDUAL IS EMPLOYED IF ANY OF THE  
23 FOLLOWING OCCUR:

24 (A) THE INDIVIDUAL'S LICENSE IS RENDERED VOID BY A COURT ORDER  
25 OR OTHER OPERATION OF LAW.

26 (B) THE INDIVIDUAL'S LICENSE IS REVOKED.

27 (C) THE INDIVIDUAL'S LICENSE IS RENDERED INACTIVE.



1           (D) THE INDIVIDUAL'S LICENSE IS RENDERED LAPSED.

2           Sec. 9a. ~~(1) The commission shall grant certification to a~~  
3 ~~person who meets the law enforcement officer minimum standards at~~  
4 ~~the time he or she is employed as a law enforcement officer.~~

5           ~~—— (2) The commission shall grant certification to a person who~~  
6 ~~was employed as a law enforcement officer before January 1, 1977~~  
7 ~~and who fails to meet the law enforcement officer minimum standards~~  
8 ~~if the person is authorized to be employed as a law enforcement~~  
9 ~~officer under section 9.~~

10          ~~—— (3) The commission shall grant certification to an elected~~  
11 ~~sheriff, which certification shall remain valid only while that~~  
12 ~~sheriff is in office.~~

13          ~~—— (4) Certification granted to a person under this act is valid~~  
14 ~~until either of the following occurs:~~

15          ~~—— (a) The certification is revoked.~~

16          ~~—— (b) The certification becomes void because the person~~  
17 ~~discontinues his or her employment as a commission certified law~~  
18 ~~enforcement officer.~~

19          ~~—— (5) The commission shall issue a certificate to a person who~~  
20 ~~has received certification. A certificate issued to a person~~  
21 ~~remains the property of the commission.~~

22          ~~—— (6) Upon request of the commission, a person whose~~  
23 ~~certification is revoked, or becomes void because the person~~  
24 ~~discontinues his or her employment as a commission certified law~~  
25 ~~enforcement officer, shall return to the commission the certificate~~  
26 ~~issued to the person. A violation of this subsection is a~~  
27 ~~misdemeanor, punishable by imprisonment for 90 days, a fine of not~~

1 ~~more than \$500.00, or both.~~

2 (1) THIS SECTION APPLIES ONLY TO INDIVIDUALS ELECTED OR  
3 APPOINTED TO THE OFFICE OF SHERIFF IN THIS STATE. EMPLOYMENT OF LAW  
4 ENFORCEMENT OFFICERS TO WHOM THIS SECTION APPLIES IS SUBJECT TO THE  
5 LICENSING REQUIREMENTS AND PROCEDURES OF THIS SECTION.

6 (2) LICENSURE UNDER THIS SECTION SHALL COMPLY WITH THE  
7 FOLLOWING PROCEDURES:

8 (A) WITHIN 10 CALENDAR DAYS AFTER TAKING AN OATH OF OFFICE FOR  
9 THE OFFICE OF SHERIFF IN THIS STATE, AN INDIVIDUAL SHALL SUBMIT TO  
10 THE COMMISSION A COPY OF THE EXECUTED OATH OF OFFICE.

11 (B) IF, UPON REVIEWING THE EXECUTED OATH OF OFFICE, THE  
12 COMMISSION DETERMINES THAT THE INDIVIDUAL HAS BEEN ELECTED OR  
13 APPOINTED TO THE OFFICE OF SHERIFF IN THIS STATE, THE COMMISSION  
14 SHALL GRANT THE INDIVIDUAL A LICENSE.

15 (C) IF, UPON REVIEWING THE EXECUTED OATH OF OFFICE, THE  
16 COMMISSION DETERMINES THAT THE INDIVIDUAL HAS NOT BEEN ELECTED OR  
17 APPOINTED TO THE OFFICE OF SHERIFF IN THIS STATE, THE COMMISSION  
18 MAY DO EITHER OF THE FOLLOWING:

19 (i) VERIFY, THROUGH OTHER MEANS, ELECTION OR APPOINTMENT TO THE  
20 OFFICE OF SHERIFF IN THIS STATE.

21 (ii) DENY THE ISSUANCE OF A LICENSE AND INFORM THE INDIVIDUAL  
22 DENIED.

23 (3) AN INDIVIDUAL LICENSED UNDER THIS SECTION SHALL:

24 (A) REPORT TO THE COMMISSION CRIMINAL CHARGES FOR OFFENSES FOR  
25 WHICH THAT INDIVIDUAL 'S LICENSE MAY BE REVOKED AS DESCRIBED IN  
26 THIS SECTION, UPON BEING INFORMED OF SUCH CHARGES, IN A MANNER  
27 PRESCRIBED IN RULES PROMULGATED BY THE COMMISSION.

1 (B) REPORT TO THE COMMISSION THE IMPOSITION OF A PERSONAL  
2 PROTECTION ORDER AGAINST THAT INDIVIDUAL AFTER A JUDICIAL HEARING  
3 UNDER SECTION 2950 OR 2950A OF THE REVISED JUDICATURE ACT OF 1961,  
4 1961 PA 236, MCL 600.2950 AND 600.2950A, OR UNDER THE LAWS OF ANY  
5 OTHER JURISDICTION, UPON BEING INFORMED OF THE IMPOSITION OF SUCH  
6 AN ORDER, IN A MANNER PRESCRIBED IN RULES PROMULGATED BY THE  
7 COMMISSION.

8 (4) A LICENSE GRANTED UNDER THIS SECTION IS VALID UNTIL ANY OF  
9 THE FOLLOWING OCCUR:

10 (A) A COURT ORDER OR OTHER OPERATION OF LAW RENDERS THE  
11 LICENSE VOID.

12 (B) THE INDIVIDUAL'S TERM OF OFFICE AS A SHERIFF IN THIS STATE  
13 EXPIRES.

14 (C) THE COMMISSION REVOKES THE LICENSE AS PROVIDED IN THIS  
15 SECTION.

16 (5) THE COMMISSION SHALL REVOKE A LICENSE GRANTED UNDER THIS  
17 SECTION FOR ANY OF THE FOLLOWING AND SHALL PROMULGATE RULES  
18 GOVERNING THESE REVOCATIONS:

19 (A) THE INDIVIDUAL OBTAINED THE LICENSE BY MAKING A MATERIALLY  
20 FALSE ORAL OR WRITTEN STATEMENT OR COMMITTING FRAUD IN AN  
21 AFFIDAVIT, DISCLOSURE, OR APPLICATION TO A LAW ENFORCEMENT TRAINING  
22 ACADEMY, THE COMMISSION, OR A LAW ENFORCEMENT AGENCY AT ANY STAGE  
23 OF RECRUITMENT, SELECTION, APPOINTMENT, ENROLLMENT, TRAINING, OR  
24 LICENSURE APPLICATION.

25 (B) THE INDIVIDUAL OBTAINED THE LICENSE BECAUSE ANOTHER  
26 INDIVIDUAL MADE A MATERIALLY FALSE ORAL OR WRITTEN STATEMENT OR  
27 COMMITTED FRAUD IN AN AFFIDAVIT, DISCLOSURE, OR APPLICATION TO A

1 LAW ENFORCEMENT TRAINING ACADEMY, THE COMMISSION, OR A LAW  
2 ENFORCEMENT AGENCY AT ANY STAGE OF RECRUITMENT, SELECTION,  
3 APPOINTMENT, ENROLLMENT, TRAINING, OR LICENSURE APPLICATION.

4 (C) THE INDIVIDUAL HAS BEEN SUBJECTED TO AN ADJUDICATION OF  
5 GUILT FOR ANY VIOLATION OR ATTEMPTED VIOLATION OF A PENAL LAW OF  
6 THIS STATE OR ANOTHER JURISDICTION THAT IS PUNISHABLE BY  
7 IMPRISONMENT FOR MORE THAN 1 YEAR.

8 (D) THE INDIVIDUAL HAS BEEN SUBJECTED TO AN ADJUDICATION OF  
9 GUILT FOR VIOLATION OR ATTEMPTED VIOLATION OF ANY OF THE FOLLOWING  
10 PENAL LAWS OF THIS STATE OR LAWS OF ANOTHER JURISDICTION  
11 SUBSTANTIALLY CORRESPONDING TO THEM:

12 (i) MCL 750.81(3) .

13 (ii) MCL 750.81A(1) .

14 (iii) MCL 750.81A(2) .

15 (iv) MCL 750.411H(2) (A) .

16 (v) MCL 333.7403(2) (C) .

17 (vi) MCL 333.7404(2) (A) .

18 (vii) MCL 333.7404(2) (B) .

19 (viii) MCL 333.7404(2) (C) .

20 (ix) MCL 257.625(9) (B) .

21 (6) THE FOLLOWING PROCEDURES AND REQUIREMENTS APPLY TO LICENSE  
22 REVOCATION UNDER THIS SECTION:

23 (A) THE COMMISSION SHALL INITIATE LICENSE REVOCATION  
24 PROCEEDINGS, INCLUDING, BUT NOT LIMITED TO, ISSUANCE OF AN ORDER OF  
25 SUMMARY SUSPENSION AND NOTICE OF INTENT TO REVOKE, UPON OBTAINING  
26 NOTICE OF FACTS WARRANTING LICENSE REVOCATION.

27 (B) A HEARING FOR LICENSE REVOCATION SHALL BE CONDUCTED AS A

1 CONTESTED CASE UNDER THE ADMINISTRATIVE PROCEDURES ACT OF 1969,  
2 1969 PA 306, MCL 24.201 TO 24.328.

3 (C) IN LIEU OF PARTICIPATING IN A CONTESTED CASE, AN  
4 INDIVIDUAL MAY VOLUNTARILY AND PERMANENTLY RELINQUISH HIS OR HER  
5 LAW ENFORCEMENT OFFICER LICENSE BY EXECUTING BEFORE A NOTARY PUBLIC  
6 AN AFFIDAVIT OF LICENSE RELINQUISHMENT PRESCRIBED BY THE  
7 COMMISSION.

8 (D) THE COMMISSION NEED NOT DELAY OR ABATE LICENSE REVOCATION  
9 PROCEEDINGS BASED ON AN ADJUDICATION OF GUILT IF AN APPEAL IS TAKEN  
10 FROM THE ADJUDICATION OF GUILT.

11 (E) IF THE COMMISSION ISSUES A FINAL DECISION OR ORDER TO  
12 REVOKE A LICENSE, THAT DECISION OR ORDER IS SUBJECT TO JUDICIAL  
13 REVIEW AS PROVIDED IN THE ADMINISTRATIVE PROCEDURES ACT OF 1969,  
14 1969 PA 306, MCL 24.201 TO 24.328. A SUMMARY SUSPENSION DESCRIBED  
15 IN THIS SECTION IS NOT A FINAL DECISION OR ORDER FOR PURPOSES OF  
16 JUDICIAL REVIEW.

17 Sec. 9b. ~~(1) The commission shall promulgate rules that~~  
18 ~~provide for the revocation of certification of a law enforcement~~  
19 ~~officer for 1 or more of the following:~~

20 ~~—— (a) Conviction by a judge or jury of a felony.~~

21 ~~—— (b) Conviction by a plea of guilty to a felony.~~

22 ~~—— (c) Conviction by a plea of no contest to a felony.~~

23 ~~—— (d) Making a materially false statement or committing fraud~~  
24 ~~during the application for certification process.~~

25 ~~—— (2) The rules shall provide for the suspension of a law~~  
26 ~~enforcement officer from use of the law enforcement information~~  
27 ~~network in the event the law enforcement officer wrongfully~~

~~discloses information from the law enforcement information network.~~

~~—— (3) Except as provided in subsection (4), if the commission issues a final decision or order to revoke the certification of a law enforcement officer, that decision or order is subject to judicial review as provided in the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.~~

~~—— (4) A petition for judicial review of a final decision or order of the commission revoking the certification of a law enforcement officer shall be filed only in the circuit court for Ingham county.~~

~~—— (5) The commission may issue a subpoena in a contested case to revoke a law enforcement officer's certification. The subpoena shall be issued as provided in section 73 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.273.~~

(1) THIS SECTION APPLIES ONLY TO INDIVIDUALS WHO ARE EMPLOYED AS MICHIGAN TRIBAL LAW ENFORCEMENT OFFICERS IN THIS STATE AND ARE SUBJECT TO A WRITTEN INSTRUMENT AUTHORIZING THEM TO ENFORCE THE LAWS OF THIS STATE. CONFERRING AUTHORITY TO ENFORCE THE LAWS OF THIS STATE TO LAW ENFORCEMENT OFFICERS TO WHOM THIS SECTION APPLIES IS SUBJECT TO THE LICENSING REQUIREMENTS AND PROCEDURES OF THIS SECTION.

(2) THE COMMISSION SHALL PROMULGATE RULES GOVERNING LICENSING STANDARDS AND PROCEDURES, PERTAINING TO THE FOLLOWING:

(A) TRAINING REQUIREMENTS THAT MAY BE MET BY COMPLETING EITHER OF THE FOLLOWING:

(i) PREENROLLMENT REQUIREMENTS, COURSES OF STUDY, ATTENDANCE REQUIREMENTS, AND INSTRUCTIONAL HOURS AT AN AGENCY BASIC LAW

1 ENFORCEMENT TRAINING ACADEMY, A PRESERVICE COLLEGE BASIC LAW  
2 ENFORCEMENT TRAINING ACADEMY, OR A REGIONAL BASIC LAW ENFORCEMENT  
3 TRAINING ACADEMY.

4 (ii) THE RECOGNITION OF PRIOR BASIC LAW ENFORCEMENT TRAINING  
5 AND EXPERIENCE PROGRAM FOR GRANTING A WAIVER FROM THE LICENSING  
6 STANDARD SPECIFIED IN SUBPARAGRAPH (i) .

7 (B) PROFICIENCY ON A LICENSING EXAMINATION ADMINISTERED AFTER  
8 COMPLIANCE WITH THE LICENSING STANDARD SPECIFIED IN SUBDIVISION  
9 (A) .

10 (C) PHYSICAL ABILITY.

11 (D) PSYCHOLOGICAL FITNESS.

12 (E) EDUCATION.

13 (F) READING AND WRITING PROFICIENCY.

14 (G) MINIMUM AGE.

15 (H) VALID OPERATOR'S OR CHAUFFEUR'S LICENSE.

16 (I) CHARACTER FITNESS, AS DETERMINED BY A BACKGROUND  
17 INVESTIGATION SUPPORTED BY A WRITTEN AUTHORIZATION AND RELEASE  
18 EXECUTED BY THE INDIVIDUAL FOR WHOM LICENSURE IS SOUGHT.

19 (J) UNITED STATES CITIZENSHIP.

20 (K) EMPLOYMENT AS A MICHIGAN TRIBAL LAW ENFORCEMENT OFFICER.

21 (l) EXECUTION OF A WRITTEN INSTRUMENT CONFERRING AUTHORITY UPON  
22 THE INDIVIDUAL TO ENFORCE THE LAWS OF THIS STATE, CONSISTING OF ANY  
23 OF THE FOLLOWING:

24 (i) DEPUTATION BY A SHERIFF OF THIS STATE, CONFERRING AUTHORITY  
25 UPON THE INDIVIDUAL TO ENFORCE THE LAWS OF THIS STATE.

26 (ii) APPOINTMENT AS A LAW ENFORCEMENT OFFICER BY A LAW  
27 ENFORCEMENT AGENCY, CONFERRING AUTHORITY UPON THE INDIVIDUAL TO

1 ENFORCE THE LAWS OF THIS STATE.

2 (iii) EXECUTION OF A WRITTEN AGREEMENT BETWEEN THE MICHIGAN  
3 TRIBAL LAW ENFORCEMENT AGENCY WITH WHOM THE INDIVIDUAL IS EMPLOYED  
4 AND A LAW ENFORCEMENT AGENCY, CONFERRING AUTHORITY UPON THE  
5 INDIVIDUAL TO ENFORCE THE LAWS OF THIS STATE.

6 (iv) EXECUTION OF A WRITTEN AGREEMENT BETWEEN THIS STATE, OR A  
7 SUBDIVISION OF THIS STATE, AND THE UNITED STATES, CONFERRING  
8 AUTHORITY UPON THE INDIVIDUAL TO ENFORCE THE LAWS OF THIS STATE.

9 (3) LICENSURE UNDER THIS SECTION SHALL COMPLY WITH THE  
10 FOLLOWING PROCEDURES:

11 (A) A LAW ENFORCEMENT AGENCY OR OTHER GOVERNMENTAL AGENCY  
12 CONFERRING AUTHORITY UPON A MICHIGAN TRIBAL LAW ENFORCEMENT OFFICER  
13 AS PROVIDED IN THIS SECTION SHALL CONFER THE AUTHORITY TO ENFORCE  
14 THE LAWS OF THIS STATE BY EXECUTING A WRITTEN INSTRUMENT AS  
15 PROVIDED IN THIS SECTION.

16 (B) BEFORE EXECUTING THE WRITTEN INSTRUMENT, A LAW ENFORCEMENT  
17 AGENCY OR OTHER GOVERNMENTAL AGENCY SHALL VERIFY THAT THE  
18 INDIVIDUAL COMPLIES WITH THE LICENSING STANDARDS.

19 (C) WITHIN 10 CALENDAR DAYS AFTER THE EFFECTIVE DATE OF THE  
20 WRITTEN INSTRUMENT, THE LAW ENFORCEMENT AGENCY OR OTHER  
21 GOVERNMENTAL AGENCY EXECUTING THE WRITTEN INSTRUMENT SHALL ATTEST  
22 IN WRITING TO THE COMMISSION THAT THE INDIVIDUAL TO WHOM THE  
23 AUTHORITY WAS CONFERRED COMPLIES WITH THE LICENSING STANDARDS, BY  
24 SUBMITTING AN EXECUTED AFFIDAVIT AND A COPY OF THE WRITTEN  
25 INSTRUMENT.

26 (D) IF, UPON REVIEWING THE EXECUTED AFFIDAVIT AND THE WRITTEN  
27 INSTRUMENT, THE COMMISSION DETERMINES THAT THE INDIVIDUAL COMPLIES



1 WITH THE LICENSING STANDARDS, THE COMMISSION SHALL GRANT THE  
2 INDIVIDUAL A LICENSE.

3 (E) IF, UPON REVIEWING THE EXECUTED AFFIDAVIT AND THE WRITTEN  
4 INSTRUMENT, THE COMMISSION DETERMINES THAT THE INDIVIDUAL DOES NOT  
5 COMPLY WITH THE LICENSING STANDARDS, THE COMMISSION MAY DO ANY OF  
6 THE FOLLOWING:

7 (i) SUPERVISE THE REMEDIATION OF ERRORS OR OMISSIONS IN THE  
8 AFFIDAVIT AND OATH OF OFFICE.

9 (ii) SUPERVISE THE REMEDIATION OF ERRORS OR OMISSIONS IN THE  
10 SCREENING, PROCEDURES, EXAMINATIONS, TESTING, AND OTHER MEANS USED  
11 TO VERIFY COMPLIANCE WITH THE LICENSING STANDARDS.

12 (iii) SUPERVISE ADDITIONAL SCREENING, PROCEDURES, EXAMINATIONS,  
13 TESTING, AND OTHER MEANS USED TO DETERMINE COMPLIANCE WITH THE  
14 LICENSING STANDARDS.

15 (iv) DENY THE ISSUANCE OF A LICENSE AND INFORM THE LAW  
16 ENFORCEMENT AGENCY OR OTHER GOVERNMENTAL AGENCY CONFERRING  
17 AUTHORITY TO ENFORCE THE LAWS OF THIS STATE UPON AN INDIVIDUAL TO  
18 WHOM THIS SECTION APPLIES.

19 (F) UPON BEING INFORMED THAT THE COMMISSION HAS DENIED  
20 ISSUANCE OF A LICENSE, A LAW ENFORCEMENT AGENCY OR OTHER  
21 GOVERNMENTAL AGENCY CONFERRING AUTHORITY TO ENFORCE THE LAWS OF  
22 THIS STATE UPON AN INDIVIDUAL TO WHOM THIS SECTION APPLIES SHALL  
23 PROMPTLY INFORM THE INDIVIDUAL DENIED.

24 (4) AN INDIVIDUAL DENIED A LICENSE UNDER THIS SECTION MAY NOT  
25 EXERCISE THE LAW ENFORCEMENT AUTHORITY DESCRIBED IN A WRITTEN  
26 INSTRUMENT CONFERRING AUTHORITY UPON THE INDIVIDUAL TO ENFORCE THE  
27 LAWS OF THIS STATE. THIS SUBSECTION DOES NOT DIVEST THE INDIVIDUAL

1 OF THAT AUTHORITY UNTIL THE INDIVIDUAL HAS BEEN INFORMED OF THE  
2 DENIAL.

3 (5) A WRITTEN INSTRUMENT CONFERRING AUTHORITY TO ENFORCE THE  
4 LAWS OF THIS STATE UPON AN INDIVIDUAL TO WHOM THIS SECTION APPLIES  
5 SHALL INCLUDE THE FOLLOWING:

6 (A) A REQUIREMENT THAT THE EMPLOYING MICHIGAN TRIBAL LAW  
7 ENFORCEMENT AGENCY REPORT TO THE COMMISSION ALL PERSONNEL  
8 TRANSACTIONS AFFECTING EMPLOYMENT STATUS, IN A MANNER PRESCRIBED IN  
9 RULES PROMULGATED BY THE COMMISSION.

10 (B) A REQUIREMENT THAT THE EMPLOYING MICHIGAN TRIBAL LAW  
11 ENFORCEMENT AGENCY REPORT TO THE COMMISSION ACTION IT TAKES THAT  
12 REMOVES THE AUTHORITY CONFERRED BY THE WRITTEN INSTRUMENT  
13 CONFERRING AUTHORITY UPON THE INDIVIDUAL TO ENFORCE THE LAWS OF  
14 THIS STATE, AND RESTORATION OF THE INDIVIDUAL'S AUTHORITY TO THAT  
15 CONFERRED BY THE WRITTEN INSTRUMENT, IN A MANNER PRESCRIBED IN  
16 RULES PROMULGATED BY THE COMMISSION.

17 (C) A REQUIREMENT THAT THE EMPLOYING MICHIGAN TRIBAL LAW  
18 ENFORCEMENT AGENCY MAINTAIN AN EMPLOYMENT HISTORY RECORD.

19 (D) A REQUIREMENT THAT THE EMPLOYING MICHIGAN TRIBAL LAW  
20 ENFORCEMENT AGENCY COLLECT, VERIFY, AND MAINTAIN DOCUMENTATION  
21 ESTABLISHING THAT THE INDIVIDUAL COMPLIES WITH THE APPLICABLE  
22 LICENSING STANDARDS.

23 (6) A WRITTEN INSTRUMENT CONFERRING AUTHORITY TO ENFORCE THE  
24 LAWS OF THIS STATE UPON AN INDIVIDUAL TO WHOM THIS SECTION APPLIES  
25 SHALL INCLUDE THE FOLLOWING:

26 (A) A REQUIREMENT THAT THE EMPLOYING MICHIGAN TRIBAL LAW  
27 ENFORCEMENT AGENCY REPORT TO THE COMMISSION CRIMINAL CHARGES FOR

1 OFFENSES FOR WHICH THAT INDIVIDUAL'S LICENSE MAY BE REVOKED AS  
2 DESCRIBED IN THIS SECTION, UPON BEING INFORMED OF SUCH CHARGES, IN  
3 A MANNER PRESCRIBED IN RULES PROMULGATED BY THE COMMISSION.

4 (B) A REQUIREMENT THAT THE EMPLOYING MICHIGAN TRIBAL LAW  
5 ENFORCEMENT AGENCY REPORT TO THE COMMISSION THE IMPOSITION OF A  
6 PERSONAL PROTECTION ORDER AGAINST THAT INDIVIDUAL AFTER A JUDICIAL  
7 HEARING UNDER SECTION 2950 OR 2950A OF THE REVISED JUDICATURE ACT  
8 OF 1961, 1961 PA 236, MCL 600.2950 AND 600.2950A, OR UNDER THE LAWS  
9 OF ANY OTHER JURISDICTION, UPON BEING INFORMED OF THE IMPOSITION OF  
10 SUCH AN ORDER, IN A MANNER PRESCRIBED IN RULES PROMULGATED BY THE  
11 COMMISSION.

12 (7) A LICENSE ISSUED UNDER THIS SECTION IS RENDERED INACTIVE,  
13 AND MAY BE REACTIVATED, AS FOLLOWS:

14 (A) A LICENSE IS RENDERED INACTIVE IF:

15 (i) AN INDIVIDUAL, HAVING BEEN EMPLOYED AS A LAW ENFORCEMENT  
16 OFFICER IN AGGREGATE FOR LESS THAN 2,080 HOURS, IS THEREAFTER  
17 CONTINUOUSLY NOT EMPLOYED AS A LAW ENFORCEMENT OFFICER FOR LESS  
18 THAN 1 YEAR.

19 (ii) AN INDIVIDUAL, HAVING BEEN EMPLOYED AS A LAW ENFORCEMENT  
20 OFFICER IN AGGREGATE FOR LESS THAN 2,080 HOURS, IS THEREAFTER  
21 CONTINUOUSLY SUBJECTED TO A REMOVAL OF THE AUTHORITY CONFERRED BY  
22 THE WRITTEN INSTRUMENT AUTHORIZING THE INDIVIDUAL TO ENFORCE THE  
23 LAWS OF THIS STATE FOR LESS THAN 1 YEAR.

24 (iii) AN INDIVIDUAL, HAVING BEEN EMPLOYED AS A LAW ENFORCEMENT  
25 OFFICER IN AGGREGATE FOR 2,080 HOURS OR LONGER, IS THEREAFTER  
26 CONTINUOUSLY NOT EMPLOYED AS A LAW ENFORCEMENT OFFICER FOR LESS  
27 THAN 2 YEARS.

1           (iv) AN INDIVIDUAL, HAVING BEEN EMPLOYED AS A LAW ENFORCEMENT  
2 OFFICER IN AGGREGATE FOR 2,080 HOURS OR LONGER, IS CONTINUOUSLY  
3 SUBJECTED TO A REMOVAL OF THE AUTHORITY CONFERRED BY THE WRITTEN  
4 INSTRUMENT AUTHORIZING THE INDIVIDUAL TO ENFORCE THE LAWS OF THIS  
5 STATE FOR LESS THAN 2 YEARS.

6           (B) A LAW ENFORCEMENT AGENCY OR OTHER GOVERNMENTAL AGENCY  
7 CONFERRING AUTHORITY TO ENFORCE THE LAWS OF THIS STATE UPON AN  
8 INDIVIDUAL TO WHOM THIS SECTION APPLIES MAY REACTIVATE A LICENSE  
9 RENDERED INACTIVE BY COMPLYING WITH THE LICENSURE PROCEDURES  
10 DESCRIBED IN SUBSECTION (3), EXCLUDING VERIFICATION OF AND  
11 ATTESTATION TO COMPLIANCE WITH THE LICENSING STANDARDS DESCRIBED IN  
12 SUBSECTION (2) (A) TO (G).

13           (C) A LICENSE THAT HAS BEEN REACTIVATED UNDER THIS SECTION IS  
14 VALID FOR ALL PURPOSES DESCRIBED IN THIS ACT.

15           (8) A LICENSE ISSUED UNDER THIS SECTION IS RENDERED LAPSED,  
16 WITHOUT BARRING FURTHER LICENSURE UNDER THIS ACT, AS FOLLOWS:

17           (A) AN INDIVIDUAL, HAVING BEEN EMPLOYED AS A LAW ENFORCEMENT  
18 OFFICER IN AGGREGATE FOR LESS THAN 2,080 HOURS, IS THEREAFTER  
19 CONTINUOUSLY NOT EMPLOYED AS A LAW ENFORCEMENT OFFICER FOR 1 YEAR.

20           (B) AN INDIVIDUAL, HAVING BEEN EMPLOYED AS A LAW ENFORCEMENT  
21 OFFICER IN AGGREGATE FOR LESS THAN 2,080 HOURS, IS THEREAFTER  
22 CONTINUOUSLY SUBJECTED TO A REMOVAL OF THE AUTHORITY CONFERRED BY  
23 THE WRITTEN INSTRUMENT AUTHORIZING THE INDIVIDUAL TO ENFORCE THE  
24 LAWS OF THIS STATE FOR 1 YEAR.

25           (C) AN INDIVIDUAL, HAVING BEEN EMPLOYED AS A LAW ENFORCEMENT  
26 OFFICER IN AGGREGATE FOR 2,080 HOURS OR LONGER, IS THEREAFTER  
27 CONTINUOUSLY NOT EMPLOYED AS A LAW ENFORCEMENT OFFICER FOR 2 YEARS.

1 (D) AN INDIVIDUAL, HAVING BEEN EMPLOYED AS A LAW ENFORCEMENT  
2 OFFICER IN AGGREGATE FOR 2,080 HOURS OR LONGER, IS CONTINUOUSLY  
3 SUBJECTED TO A REMOVAL OF THE AUTHORITY CONFERRED BY THE WRITTEN  
4 INSTRUMENT AUTHORIZING THE INDIVIDUAL TO ENFORCE THE LAWS OF THIS  
5 STATE FOR 2 YEARS.

6 (9) THE COMMISSION SHALL REVOKE A LICENSE GRANTED UNDER THIS  
7 SECTION FOR ANY OF THE FOLLOWING AND SHALL PROMULGATE RULES  
8 GOVERNING THESE REVOCATIONS:

9 (A) THE INDIVIDUAL OBTAINED THE LICENSE BY MAKING A MATERIALLY  
10 FALSE ORAL OR WRITTEN STATEMENT OR COMMITTING FRAUD IN AN  
11 AFFIDAVIT, DISCLOSURE, OR APPLICATION TO A LAW ENFORCEMENT TRAINING  
12 ACADEMY, THE COMMISSION, OR A LAW ENFORCEMENT AGENCY AT ANY STAGE  
13 OF RECRUITMENT, SELECTION, APPOINTMENT, ENROLLMENT, TRAINING, OR  
14 LICENSURE APPLICATION.

15 (B) THE INDIVIDUAL OBTAINED THE LICENSE BECAUSE ANOTHER  
16 INDIVIDUAL MADE A MATERIALLY FALSE ORAL OR WRITTEN STATEMENT OR  
17 COMMITTED FRAUD IN AN AFFIDAVIT, DISCLOSURE, OR APPLICATION TO A  
18 LAW ENFORCEMENT TRAINING ACADEMY, THE COMMISSION, OR A LAW  
19 ENFORCEMENT AGENCY AT ANY STAGE OF RECRUITMENT, SELECTION,  
20 APPOINTMENT, ENROLLMENT, TRAINING, OR LICENSURE APPLICATION.

21 (C) THE INDIVIDUAL HAS BEEN SUBJECTED TO AN ADJUDICATION OF  
22 GUILT FOR ANY VIOLATION OR ATTEMPTED VIOLATION OF A PENAL LAW OF  
23 THIS STATE OR ANOTHER JURISDICTION THAT IS PUNISHABLE BY  
24 IMPRISONMENT FOR MORE THAN 1 YEAR.

25 (D) THE INDIVIDUAL HAS BEEN SUBJECTED TO AN ADJUDICATION OF  
26 GUILT FOR VIOLATION OR ATTEMPTED VIOLATION OF ANY OF THE FOLLOWING  
27 PENAL LAWS OF THIS STATE OR LAWS OF ANOTHER JURISDICTION

1 SUBSTANTIALLY CORRESPONDING TO THEM:

2 (i) MCL 750.81(3) .

3 (ii) MCL 750.81A(1) .

4 (iii) MCL 750.81A(2) .

5 (iv) MCL 750.411H(2) (A) .

6 (v) MCL 333.7403(2) (C) .

7 (vi) MCL 333.7404(2) (A) .

8 (vii) MCL 333.7404(2) (B) .

9 (viii) MCL 333.7404(2) (C) .

10 (ix) MCL 257.625(9) (B) .

11 (10) THE FOLLOWING PROCEDURES AND REQUIREMENTS APPLY TO  
12 LICENSE REVOCATION UNDER THIS SECTION:

13 (A) THE COMMISSION SHALL INITIATE LICENSE REVOCATION  
14 PROCEEDINGS, INCLUDING, BUT NOT LIMITED TO, ISSUANCE OF AN ORDER OF  
15 SUMMARY SUSPENSION AND NOTICE OF INTENT TO REVOKE, UPON OBTAINING  
16 NOTICE OF FACTS WARRANTING LICENSE REVOCATION.

17 (B) A HEARING FOR LICENSE REVOCATION SHALL BE CONDUCTED AS A  
18 CONTESTED CASE UNDER THE ADMINISTRATIVE PROCEDURES ACT OF 1969,  
19 1969 PA 306, MCL 24.201 TO 24.328.

20 (C) IN LIEU OF PARTICIPATING IN A CONTESTED CASE, AN  
21 INDIVIDUAL MAY VOLUNTARILY AND PERMANENTLY RELINQUISH HIS OR HER  
22 LAW ENFORCEMENT OFFICER LICENSE BY EXECUTING BEFORE A NOTARY PUBLIC  
23 AN AFFIDAVIT OF LICENSE RELINQUISHMENT PRESCRIBED BY THE  
24 COMMISSION.

25 (D) THE COMMISSION NEED NOT DELAY OR ABATE LICENSE REVOCATION  
26 PROCEEDINGS BASED ON AN ADJUDICATION OF GUILT IF AN APPEAL IS TAKEN  
27 FROM THE ADJUDICATION OF GUILT.

(E) IF THE COMMISSION ISSUES A FINAL DECISION OR ORDER TO REVOKE A LICENSE, THAT DECISION OR ORDER IS SUBJECT TO JUDICIAL REVIEW AS PROVIDED IN THE ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.201 TO 24.328. A SUMMARY SUSPENSION DESCRIBED IN THIS SECTION IS NOT A FINAL DECISION OR ORDER FOR PURPOSES OF JUDICIAL REVIEW.

(11) AN INDIVIDUAL LICENSED UNDER THIS SECTION MAY NOT EXERCISE THE LAW ENFORCEMENT AUTHORITY DESCRIBED IN A WRITTEN INSTRUMENT CONFERRING AUTHORITY UPON THE INDIVIDUAL TO ENFORCE THE LAWS OF THIS STATE IF ANY OF THE FOLLOWING OCCUR:

(A) THE INDIVIDUAL'S LICENSE IS RENDERED VOID BY A COURT ORDER OR OTHER OPERATION OF LAW.

(B) THE INDIVIDUAL'S LICENSE IS REVOKED.

(C) THE INDIVIDUAL'S LICENSE IS RENDERED INACTIVE.

(D) THE INDIVIDUAL'S LICENSE IS RENDERED LAPSED.

~~Sec. 9c. (1) The commission may investigate alleged violations of this act or rules promulgated under this act.~~

~~—— (2) In conducting an investigation, the commission may hold hearings, administer oaths, issue subpoenas, and order testimony to be taken at a hearing or by deposition. A hearing held under this section shall be conducted in accordance with chapter 4 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.271 to 24.287. A final decision order issued by the commission is subject to judicial review as provided by chapter 6 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.301 to 24.306.~~

~~—— (3) The commission may issue a subpoena to do either of the following:~~

~~1 (a) Compel the attendance of a witness to testify at a hearing  
2 or deposition and give testimony.~~

~~3 (b) Produce books, papers, documents, or other items.~~

~~4 (4) If a subpoena issued by the commission is not obeyed, the  
5 commission may petition the circuit court to require the attendance  
6 of a witness or the production of books, papers, documents, or  
7 other items. The circuit court may issue an order requiring a  
8 person to appear and give testimony or produce books, papers,  
9 documents, or other items. Failure to obey the order of the circuit  
10 court may be punished by the court as a contempt of court.~~

11 (1) THIS SECTION APPLIES ONLY TO INDIVIDUALS WHO ARE EMPLOYED  
12 AS FIRE ARSON INVESTIGATORS FROM FIRE DEPARTMENTS WITHIN VILLAGES,  
13 CITIES, TOWNSHIPS, OR COUNTIES IN THIS STATE, WHO ARE SWORN AND  
14 FULLY EMPOWERED BY THE CHIEFS OF POLICE OF THOSE VILLAGES, CITIES,  
15 TOWNSHIPS, OR COUNTIES. CONFERRING AUTHORITY TO ENFORCE THE LAWS OF  
16 THIS STATE TO LAW ENFORCEMENT OFFICERS TO WHOM THIS SECTION APPLIES  
17 IS SUBJECT TO THE LICENSING REQUIREMENTS AND PROCEDURES OF THIS  
18 SECTION.

19 (2) THE COMMISSION SHALL PROMULGATE RULES GOVERNING LICENSING  
20 STANDARDS AND PROCEDURES, PERTAINING TO THE FOLLOWING:

21 (A) TRAINING REQUIREMENTS THAT MAY BE MET BY COMPLETING EITHER  
22 OF THE FOLLOWING:

23 (i) PREENROLLMENT REQUIREMENTS, COURSES OF STUDY, ATTENDANCE  
24 REQUIREMENTS, AND INSTRUCTIONAL HOURS AT AN AGENCY BASIC LAW  
25 ENFORCEMENT TRAINING ACADEMY, A PRESERVICE COLLEGE BASIC LAW  
26 ENFORCEMENT TRAINING ACADEMY, OR A REGIONAL BASIC LAW ENFORCEMENT  
27 TRAINING ACADEMY.



1           (ii) THE RECOGNITION OF PRIOR BASIC LAW ENFORCEMENT TRAINING  
2     AND EXPERIENCE PROGRAM FOR GRANTING A WAIVER FROM THE LICENSING  
3     STANDARD SPECIFIED IN SUBPARAGRAPH (i) .

4           (B) PROFICIENCY ON A LICENSING EXAMINATION ADMINISTERED AFTER  
5     COMPLIANCE WITH THE LICENSING STANDARD SPECIFIED IN SUBDIVISION

6     (A) .

7           (C) PHYSICAL ABILITY.

8           (D) PSYCHOLOGICAL FITNESS.

9           (E) EDUCATION.

10          (F) READING AND WRITING PROFICIENCY.

11          (G) MINIMUM AGE.

12          (H) VALID OPERATOR'S OR CHAUFFEUR'S LICENSE.

13          (I) CHARACTER FITNESS, AS DETERMINED BY A BACKGROUND  
14     INVESTIGATION SUPPORTED BY A WRITTEN AUTHORIZATION AND RELEASE  
15     EXECUTED BY THE INDIVIDUAL FOR WHOM LICENSURE IS SOUGHT.

16          (J) UNITED STATES CITIZENSHIP.

17          (K) EMPLOYMENT AS A FIRE ARSON INVESTIGATOR FROM A FIRE  
18     DEPARTMENT WITHIN A VILLAGE, CITY, TOWNSHIP, OR COUNTY IN THIS  
19     STATE, WHO IS SWORN AND FULLY EMPOWERED BY THE CHIEF OF POLICE OF  
20     THAT VILLAGE, CITY, TOWNSHIP, OR COUNTY.

21          (l) EXECUTION OF A WRITTEN OATH OF OFFICE BY THE CHIEF OF  
22     POLICE OF A VILLAGE, CITY, TOWNSHIP, OR COUNTY LAW ENFORCEMENT  
23     AGENCY, CONFERRING AUTHORITY TO ENFORCE THE LAWS OF THIS STATE.

24          (3) LICENSURE UNDER THIS SECTION SHALL COMPLY WITH THE  
25     FOLLOWING PROCEDURES:

26          (A) BEFORE EXECUTING THE OATH OF OFFICE, THE CHIEF OF POLICE  
27     SHALL VERIFY THAT THE INDIVIDUAL TO WHOM THE OATH IS TO BE

1 ADMINISTERED COMPLIES WITH THE LICENSING STANDARDS.

2 (B) THE CHIEF OF POLICE SHALL EXECUTE AN OATH OF OFFICE TO  
3 AUTHORIZE THE INDIVIDUAL TO ENFORCE THE LAWS OF THIS STATE.

4 (C) WITHIN 10 CALENDAR DAYS AFTER EXECUTING THE OATH OF  
5 OFFICE, THE CHIEF OF POLICE SHALL ATTEST IN WRITING TO THE  
6 COMMISSION THAT THE INDIVIDUAL TO WHOM THE OATH WAS ADMINISTERED  
7 COMPLIES WITH THE LICENSING STANDARDS, BY SUBMITTING AN EXECUTED  
8 AFFIDAVIT AND A COPY OF THE EXECUTED OATH OF OFFICE.

9 (D) IF, UPON REVIEWING THE EXECUTED AFFIDAVIT AND EXECUTED  
10 OATH OF OFFICE, THE COMMISSION DETERMINES THAT THE INDIVIDUAL  
11 COMPLIES WITH THE LICENSING STANDARDS, THE COMMISSION SHALL GRANT  
12 THE INDIVIDUAL A LICENSE.

13 (E) IF, UPON REVIEWING THE EXECUTED AFFIDAVIT AND EXECUTED  
14 OATH OF OFFICE, THE COMMISSION DETERMINES THAT THE INDIVIDUAL DOES  
15 NOT COMPLY WITH THE LICENSING STANDARDS, THE COMMISSION MAY DO ANY  
16 OF THE FOLLOWING:

17 (i) SUPERVISE THE REMEDIATION OF ERRORS OR OMISSIONS IN THE  
18 AFFIDAVIT AND OATH OF OFFICE.

19 (ii) SUPERVISE THE REMEDIATION OF ERRORS OR OMISSIONS IN THE  
20 SCREENING, PROCEDURES, EXAMINATIONS, TESTING, AND OTHER MEANS USED  
21 TO VERIFY COMPLIANCE WITH THE LICENSING STANDARDS.

22 (iii) SUPERVISE ADDITIONAL SCREENING, PROCEDURES, EXAMINATIONS,  
23 TESTING, AND OTHER MEANS USED TO DETERMINE COMPLIANCE WITH THE  
24 LICENSING STANDARDS.

25 (iv) DENY THE ISSUANCE OF A LICENSE AND INFORM THE CHIEF OF  
26 POLICE.

27 (F) UPON BEING INFORMED THAT THE COMMISSION HAS DENIED

1   ISSUANCE OF A LICENSE, THE CHIEF OF POLICE SHALL PROMPTLY INFORM  
2   THE INDIVIDUAL DENIED.

3           (4) AN INDIVIDUAL DENIED A LICENSE UNDER THIS SECTION MAY NOT  
4   EXERCISE THE LAW ENFORCEMENT AUTHORITY DESCRIBED IN THE OATH OF  
5   OFFICE. THIS SUBSECTION DOES NOT DIVEST THE INDIVIDUAL OF THAT  
6   AUTHORITY UNTIL THE INDIVIDUAL HAS BEEN INFORMED OF THE DENIAL.

7           (5) A CHIEF OF POLICE THAT HAS ADMINISTERED AN OATH OF OFFICE  
8   TO AN INDIVIDUAL UNDER THIS SECTION SHALL, WITH RESPECT TO THAT  
9   INDIVIDUAL:

10          (A) REPORT TO THE COMMISSION ALL PERSONNEL TRANSACTIONS  
11   AFFECTING EMPLOYMENT STATUS, IN A MANNER PRESCRIBED IN RULES  
12   PROMULGATED BY THE COMMISSION.

13          (B) REPORT TO THE COMMISSION ACTION TAKEN BY THE CHIEF OF  
14   POLICE THAT REMOVES THE AUTHORITY CONFERRED BY THE OATH OF OFFICE,  
15   AND RESTORATION OF THE INDIVIDUAL'S AUTHORITY TO THAT CONFERRED BY  
16   THE OATH OF OFFICE, IN A MANNER PRESCRIBED IN RULES PROMULGATED BY  
17   THE COMMISSION.

18          (C) MAINTAIN AN EMPLOYMENT HISTORY RECORD.

19          (D) COLLECT, VERIFY, AND MAINTAIN DOCUMENTATION ESTABLISHING  
20   THAT THE INDIVIDUAL COMPLIES WITH THE APPLICABLE LICENSING  
21   STANDARDS.

22          (6) AN INDIVIDUAL LICENSED UNDER THIS SECTION SHALL:

23           (A) REPORT TO THE COMMISSION CRIMINAL CHARGES FOR OFFENSES FOR  
24   WHICH THAT INDIVIDUAL'S LICENSE MAY BE REVOKED AS DESCRIBED IN THIS  
25   SECTION, UPON BEING INFORMED OF SUCH CHARGES, IN A MANNER  
26   PRESCRIBED IN RULES PROMULGATED BY THE COMMISSION.

27           (B) REPORT TO THE COMMISSION IMPOSITION OF A PERSONAL

1 PROTECTION ORDER AGAINST THAT INDIVIDUAL AFTER A JUDICIAL HEARING  
2 UNDER SECTION 2950 OR 2950A OF THE REVISED JUDICATURE ACT OF 1961,  
3 1961 PA 236, MCL 600.2950 AND 600.2950A, OR UNDER THE LAWS OF ANY  
4 OTHER JURISDICTION, UPON BEING INFORMED OF THE IMPOSITION OF SUCH  
5 AN ORDER, IN A MANNER PRESCRIBED IN RULES PROMULGATED BY THE  
6 COMMISSION.

7 (7) A LICENSE GRANTED UNDER THIS SECTION IS RENDERED LAPSED,  
8 WITHOUT BARRING FURTHER LICENSURE UNDER THIS ACT, AS FOLLOWS:

9 (A) THE INDIVIDUAL IS NO LONGER EMPLOYED AS A FIRE ARSON  
10 INVESTIGATOR FROM A FIRE DEPARTMENT WITHIN A VILLAGE, CITY,  
11 TOWNSHIP, OR COUNTY IN THIS STATE, WHO IS SWORN AND FULLY EMPOWERED  
12 BY THE CHIEF OF POLICE OF THAT VILLAGE, CITY, TOWNSHIP, OR COUNTY,  
13 RENDERING THE LICENSE LAPSED.

14 (B) THE INDIVIDUAL IS SUBJECTED TO A REMOVAL OF THE AUTHORITY  
15 CONFERRED BY THE OATH OF OFFICE, RENDERING THE LICENSE LAPSED.

16 (8) THE COMMISSION SHALL REVOKE A LICENSE GRANTED UNDER THIS  
17 SECTION FOR ANY OF THE FOLLOWING AND SHALL PROMULGATE RULES  
18 GOVERNING THESE REVOCATIONS:

19 (A) THE INDIVIDUAL OBTAINED THE LICENSE BY MAKING A MATERIALLY  
20 FALSE ORAL OR WRITTEN STATEMENT OR COMMITTING FRAUD IN AN  
21 AFFIDAVIT, DISCLOSURE, OR APPLICATION TO A LAW ENFORCEMENT TRAINING  
22 ACADEMY, THE COMMISSION, OR A LAW ENFORCEMENT AGENCY AT ANY STAGE  
23 OF RECRUITMENT, SELECTION, APPOINTMENT, ENROLLMENT, TRAINING, OR  
24 LICENSURE APPLICATION.

25 (B) THE INDIVIDUAL OBTAINED THE LICENSE BECAUSE ANOTHER  
26 INDIVIDUAL MADE A MATERIALLY FALSE ORAL OR WRITTEN STATEMENT OR  
27 COMMITTED FRAUD IN AN AFFIDAVIT, DISCLOSURE, OR APPLICATION TO A

1 LAW ENFORCEMENT TRAINING ACADEMY, THE COMMISSION, OR A LAW  
2 ENFORCEMENT AGENCY AT ANY STAGE OF RECRUITMENT, SELECTION,  
3 APPOINTMENT, ENROLLMENT, TRAINING, OR LICENSURE APPLICATION.

4 (C) THE INDIVIDUAL HAS BEEN SUBJECTED TO AN ADJUDICATION OF  
5 GUILT FOR ANY VIOLATION OR ATTEMPTED VIOLATION OF A PENAL LAW OF  
6 THIS STATE OR ANOTHER JURISDICTION THAT IS PUNISHABLE BY  
7 IMPRISONMENT FOR MORE THAN 1 YEAR.

8 (D) THE INDIVIDUAL HAS BEEN SUBJECTED TO AN ADJUDICATION OF  
9 GUILT FOR VIOLATION OR ATTEMPTED VIOLATION OF ANY OF THE FOLLOWING  
10 PENAL LAWS OF THIS STATE OR LAWS OF ANOTHER JURISDICTION  
11 SUBSTANTIALLY CORRESPONDING TO THEM:

12 (i) MCL 750.81(3) .

13 (ii) MCL 750.81A(1) .

14 (iii) MCL 750.81A(2) .

15 (iv) MCL 750.411H(2) (A) .

16 (v) MCL 333.7403(2) (C) .

17 (vi) MCL 333.7404(2) (A) .

18 (vii) MCL 333.7404(2) (B) .

19 (viii) MCL 333.7404(2) (C) .

20 (ix) MCL 257.625(9) (B) .

21 (9) THE FOLLOWING PROCEDURES AND REQUIREMENTS APPLY TO LICENSE  
22 REVOCATION UNDER THIS SECTION:

23 (A) THE COMMISSION SHALL INITIATE LICENSE REVOCATION  
24 PROCEEDINGS, INCLUDING, BUT NOT LIMITED TO, ISSUANCE OF AN ORDER OF  
25 SUMMARY SUSPENSION AND NOTICE OF INTENT TO REVOKE, UPON OBTAINING  
26 NOTICE OF FACTS WARRANTING LICENSE REVOCATION.

27 (B) A HEARING FOR LICENSE REVOCATION SHALL BE CONDUCTED AS A

1 CONTESTED CASE UNDER THE ADMINISTRATIVE PROCEDURES ACT OF 1969,  
2 1969 PA 306, MCL 24.201 TO 24.328.

3 (C) IN LIEU OF PARTICIPATING IN A CONTESTED CASE, AN  
4 INDIVIDUAL MAY VOLUNTARILY AND PERMANENTLY RELINQUISH HIS OR HER  
5 LAW ENFORCEMENT OFFICER LICENSE BY EXECUTING BEFORE A NOTARY PUBLIC  
6 AN AFFIDAVIT OF LICENSE RELINQUISHMENT PRESCRIBED BY THE  
7 COMMISSION.

8 (D) THE COMMISSION NEED NOT DELAY OR ABATE LICENSE REVOCATION  
9 PROCEEDINGS BASED ON AN ADJUDICATION OF GUILT IF AN APPEAL IS TAKEN  
10 FROM THE ADJUDICATION OF GUILT.

11 (E) IF THE COMMISSION ISSUES A FINAL DECISION OR ORDER TO  
12 REVOKE A LICENSE, THAT DECISION OR ORDER IS SUBJECT TO JUDICIAL  
13 REVIEW AS PROVIDED IN THE ADMINISTRATIVE PROCEDURES ACT OF 1969,  
14 1969 PA 306, MCL 24.201 TO 24.328. A SUMMARY SUSPENSION DESCRIBED  
15 IN THIS SECTION IS NOT A FINAL DECISION OR ORDER FOR PURPOSES OF  
16 JUDICIAL REVIEW.

17 (10) AN INDIVIDUAL LICENSED UNDER THIS SECTION MAY NOT  
18 EXERCISE THE LAW ENFORCEMENT AUTHORITY DESCRIBED IN THE OATH OF  
19 OFFICE IF ANY OF THE FOLLOWING OCCUR:

20 (A) THE INDIVIDUAL'S LICENSE IS RENDERED VOID BY A COURT ORDER  
21 OR OTHER OPERATION OF LAW.

22 (B) THE INDIVIDUAL'S LICENSE IS REVOKED.

23 (C) THE INDIVIDUAL'S LICENSE IS RENDERED LAPSED.

24 Sec. 10. ~~(1) The commission may enter into agreements with~~  
25 ~~public or private colleges, universities, or other agencies to~~  
26 ~~carry out the intent of this act.~~

27 ~~— (2) The commission may impose a reasonable fee for performing~~

~~any service identified in sections 37 to 42 of the private security business and security alarm act, 1968 PA 330, MCL 338.1087 to 338.1092, which shall be payable by the private college or university in connection with which the duties are performed. No fee shall exceed the commission's actual cost incurred in performing agreed upon duties.~~

(1) THE COMMISSION MAY INVESTIGATE ALLEGED VIOLATIONS OF THIS ACT OR RULES PROMULGATED UNDER THIS ACT.

(2) IN CONDUCTING AN INVESTIGATION, THE COMMISSION MAY HOLD HEARINGS, ADMINISTER OATHS, ISSUE SUBPOENAS, AND ORDER TESTIMONY TO BE TAKEN AT A HEARING OR BY DEPOSITION. A HEARING HELD UNDER THIS SECTION SHALL BE CONDUCTED IN ACCORDANCE WITH CHAPTER 4 OF THE ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.271 TO 24.287. A FINAL DECISION OR ORDER ISSUED BY THE COMMISSION IS SUBJECT TO JUDICIAL REVIEW AS PROVIDED BY CHAPTER 6 OF THE ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.301 TO 24.306. A PETITION FOR JUDICIAL REVIEW OF A FINAL DECISION OR ORDER OF THE COMMISSION SHALL BE ADJUDICATED ONLY IN THE CIRCUIT COURT FOR INGHAM COUNTY.

(3) THE COMMISSION MAY ISSUE A SUBPOENA TO DO EITHER OF THE FOLLOWING:

(A) COMPEL THE ATTENDANCE OF A WITNESS TO TESTIFY AT A HEARING OR DEPOSITION AND GIVE TESTIMONY.

(B) PRODUCE BOOKS, PAPERS, DOCUMENTS, OR OTHER ITEMS.

(4) IF A SUBPOENA ISSUED BY THE COMMISSION IS NOT OBEYED, THE COMMISSION MAY PETITION THE CIRCUIT COURT TO REQUIRE THE ATTENDANCE OF A WITNESS OR THE PRODUCTION OF BOOKS, PAPERS, DOCUMENTS, OR

1 OTHER ITEMS. THE CIRCUIT COURT MAY ISSUE AN ORDER REQUIRING AN  
2 INDIVIDUAL TO APPEAR AND GIVE TESTIMONY OR PRODUCE BOOKS, PAPERS,  
3 DOCUMENTS, OR OTHER ITEMS. FAILURE TO OBEY AN ORDER OF THE CIRCUIT  
4 COURT MAY BE PUNISHED BY THE COURT AS A CONTEMPT OF COURT.

5 (5) THE COMMISSION HAS STANDING TO COMMENCE AN ACTION IN THE  
6 CIRCUIT COURT FOR INGHAM COUNTY TO COMPEL COMPLIANCE WITH THIS ACT  
7 OR 1982 PA 302, MCL 18.421 TO 18.429, OR AN ADMINISTRATIVE RULE  
8 PROMULGATED UNDER THIS ACT OR 1982 PA 302, MCL 18.421 TO 18.429.

9 Sec. 11. (1) The commission may do ~~all~~ 1 OR MORE of the  
10 following:

11 ~~—— (a) Visit and inspect a police training school, or examine the~~  
12 ~~curriculum or training procedures of a police training school, for~~  
13 ~~which application for approval of the school has been made.~~

14 ~~—— (b) Issue certificates of approval to police training schools.~~

15 ~~—— (c) Authorize the issuance of certificates of graduation or~~  
16 ~~diplomas by approved police training schools to law enforcement~~  
17 ~~officers who have satisfactorily completed minimum courses of~~  
18 ~~study.~~

19 ~~—— (d) Cooperate with state, federal, and local police agencies~~  
20 ~~to establish and conduct local or area schools, or regional~~  
21 ~~training centers for instruction and training of law enforcement~~  
22 ~~officers of this state and of cities, counties, townships, and~~  
23 ~~villages.~~

24 ~~—— (e) Make recommendations to the legislature on matters~~  
25 ~~pertaining to qualification and training of law enforcement~~  
26 ~~officers.~~

27 ~~—— (f) Establish preservice basic training programs at colleges~~



1 ~~and universities.~~

2 ~~—— (g) Require an examination for law enforcement officer~~  
 3 ~~certification under section 9a(1).~~

4 ~~—— (h) Issue a waiver as provided for under section 9(7), or~~  
 5 ~~9(3)(c), or 9(3)(h).~~

6 ~~—— (i) Establish and charge a fee to recover the cost of testing~~  
 7 ~~and training individuals who are not employed by a Michigan law~~  
 8 ~~enforcement agency.~~

9 ~~—— (j) Establish and charge a fee to recover the cost of issuing~~  
 10 ~~and reissuing certificates for individuals who are certified as law~~  
 11 ~~enforcement officers in this state.~~

12 ~~—— (2) Fees charged under subsection (1)(i) and (j) shall be~~  
 13 ~~deposited in the law enforcement officer training fund created in~~  
 14 ~~section 13.~~

15 (A) ENTER INTO AGREEMENTS WITH COLLEGES, UNIVERSITIES,  
 16 GOVERNMENTAL AGENCIES, AND PRIVATE ENTITIES TO CARRY OUT THE INTENT  
 17 OF THIS ACT.

18 (B) ISSUE CERTIFICATES OF APPROVAL TO AGENCY BASIC LAW  
 19 ENFORCEMENT TRAINING ACADEMIES, PRESERVICE COLLEGE BASIC LAW  
 20 ENFORCEMENT TRAINING ACADEMIES, AND REGIONAL BASIC LAW ENFORCEMENT  
 21 TRAINING ACADEMIES.

22 (C) AUTHORIZE ISSUANCE OF CERTIFICATES OF GRADUATION OR  
 23 DIPLOMAS BY AGENCY BASIC LAW ENFORCEMENT TRAINING ACADEMIES,  
 24 PRESERVICE COLLEGE BASIC LAW ENFORCEMENT TRAINING ACADEMIES, AND  
 25 REGIONAL BASIC LAW ENFORCEMENT TRAINING ACADEMIES TO STUDENTS WHO  
 26 HAVE SATISFACTORILY COMPLETED MINIMUM COURSES OF STUDY.

27 (D) COOPERATE WITH STATE, FEDERAL, AND LOCAL AGENCIES TO

1 APPROVE PROGRAMS OF IN-SERVICE INSTRUCTION AND TRAINING OF LAW  
2 ENFORCEMENT OFFICERS OF THIS STATE AND OF CITIES, COUNTIES,  
3 TOWNSHIPS, AND VILLAGES.

4 (E) MAKE RECOMMENDATIONS TO THE LEGISLATURE ON MATTERS  
5 PERTAINING TO QUALIFICATION AND TRAINING OF LAW ENFORCEMENT  
6 OFFICERS.

7 (F) REQUIRE A LICENSING EXAMINATION.

8 (G) ESTABLISH A RECOGNITION OF PRIOR BASIC LAW ENFORCEMENT  
9 TRAINING AND EXPERIENCE PROGRAM.

10 (H) ESTABLISH AND CHARGE A FEE TO RECOVER THE COST OF TESTING  
11 AND TRAINING INDIVIDUALS WHO ARE NOT EMPLOYED BY A LAW ENFORCEMENT  
12 AGENCY, WHICH SHALL BE DEPOSITED IN THE SECONDARY ROAD PATROL AND  
13 TRAINING FUND CREATED IN SECTION 629E OF THE MICHIGAN VEHICLE CODE,  
14 1949 PA 300, MCL 257.629E.

15 (I) ESTABLISH AND CHARGE A FEE TO RECOVER THE COST OF ISSUING  
16 LICENSES TO PERSONS LICENSED UNDER THIS ACT, WHICH SHALL BE  
17 DEPOSITED IN THE SECONDARY ROAD PATROL AND TRAINING FUND CREATED IN  
18 SECTION 629E OF THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL  
19 257.629E.

20 (2) THE COMMISSION MAY PROMULGATE RULES WITH RESPECT TO ANY OF  
21 THE FOLLOWING:

22 (A) IN-SERVICE TRAINING PROGRAMS AND MINIMUM COURSES OF STUDY  
23 AND ATTENDANCE REQUIREMENTS FOR LICENSED LAW ENFORCEMENT OFFICERS.

24 (B) THE ESTABLISHMENT AND APPROVAL OF AGENCY BASIC LAW  
25 ENFORCEMENT TRAINING ACADEMIES, PRESERVICE COLLEGE BASIC LAW  
26 ENFORCEMENT TRAINING ACADEMIES, AND REGIONAL BASIC LAW ENFORCEMENT  
27 TRAINING ACADEMIES.

(C) THE MINIMUM QUALIFICATIONS FOR INSTRUCTORS FOR APPROVED AGENCY BASIC LAW ENFORCEMENT TRAINING ACADEMIES, PRESERVICE COLLEGE BASIC LAW ENFORCEMENT TRAINING ACADEMIES, AND REGIONAL BASIC LAW ENFORCEMENT TRAINING ACADEMIES.

(D) THE MINIMUM FACILITIES AND EQUIPMENT FOR AGENCY BASIC LAW ENFORCEMENT TRAINING ACADEMIES, PRESERVICE COLLEGE BASIC LAW ENFORCEMENT TRAINING ACADEMIES, AND REGIONAL BASIC LAW ENFORCEMENT TRAINING ACADEMIES.

(E) MINIMUM STANDARDS AND PROCEDURES FOR RESERVE OFFICERS.

Sec. 12. The commission shall appoint an executive director of the commission. The executive director shall **BE AN EMPLOYEE OF THE COMMISSION AND SHALL** hold office at the pleasure of the commission. The executive director shall perform the functions and duties that are assigned to him or her by the commission. The executive director shall receive compensation and reimbursement for expenses ~~as provided by appropriation.~~ **FROM APPROPRIATIONS.**

~~Sec. 13. There is created in the state treasury a law enforcement officers training fund, from which, the legislature shall appropriate sums deemed necessary for the purposes of this act.~~

(1) THE COMMISSION MAY USE MONEY FROM THE SECONDARY ROAD PATROL AND TRAINING FUND CREATED IN SECTION 629E OF THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.629E, FOR EITHER OF THE FOLLOWING:

(A) THE REASONABLE EXPENSES OF PERFORMING STATUTORY FUNCTIONS AUTHORIZED IN THIS ACT.

(B) REIMBURSEMENT TO LAW ENFORCEMENT AGENCIES FOR REASONABLE

1 COSTS INCURRED IN PROVIDING EDUCATION TO THEIR EMPLOYEES WHO ARE  
2 ENROLLED IN LAW ENFORCEMENT TRAINING ACADEMIES FOR THE PURPOSE OF  
3 BEING EMPLOYED BY THE AGENCIES AS LAW ENFORCEMENT OFFICERS LICENSED  
4 UNDER THIS ACT.

5 (2) A LAW ENFORCEMENT AGENCY SEEKING REIMBURSEMENT FROM THE  
6 SECONDARY ROAD PATROL AND TRAINING FUND AS DESCRIBED IN THIS  
7 SECTION SHALL APPLY USING PROCEDURES AND FORMS ESTABLISHED BY THE  
8 COMMISSION.

9 Sec. 14. ~~(1) The amounts annually appropriated by the~~  
10 ~~legislature from the law enforcement officers training fund shall~~  
11 ~~be paid by the state treasurer as follows:~~

12 ~~—— (a) In accordance with the accounting laws of the state upon~~  
13 ~~certification of the executive director to reimburse an amount not~~  
14 ~~to exceed the training costs incurred for each officer meeting the~~  
15 ~~recruitment standards prescribed pursuant to this act during the~~  
16 ~~period covered by the allocation, plus an amount not to exceed the~~  
17 ~~necessary living expenses incurred by the officer that are~~  
18 ~~necessitated by training requiring that he or she be away from his~~  
19 ~~or her residence overnight.~~

20 ~~—— (b) For the maintenance and administration of law enforcement~~  
21 ~~officer testing and certification provided for by this act.~~

22 ~~—— (2) If the money in the fund to be appropriated by the~~  
23 ~~legislature for the training and living expenses described in~~  
24 ~~subsection (1) are insufficient to allocate the amount for training~~  
25 ~~and living purposes, the amount shall be reduced proportionately.~~

26 ~~—— (3) An allocation shall not be made from the fund under this~~  
27 ~~section to a training agency or to a city, county, township, or~~

~~village or agency of the state that has not, throughout the period covered by the allocation, adhered to the standards established by the commission as applicable to either training or to personnel recruited or trained by the training agency, city, county, township, or village or agency of the state during that period.~~

~~(4) Expenditures from the fund to be appropriated by the legislature for law enforcement officer testing and certification described in subsection (1) shall not exceed the revenue generated from fees collected pursuant to section 11(1)(i) and (j).~~

(1) AN INDIVIDUAL OR ORGANIZATION TO WHOM AN INQUIRY IS MADE CONCERNING AN INDIVIDUAL'S COMPLIANCE WITH THE LICENSING STANDARDS ESTABLISHED IN THIS ACT SHALL RESPOND TO THE INQUIRY WITHIN 45 CALENDAR DAYS.

(2) AN INDIVIDUAL OR ORGANIZATION RESPONDING TO AN INQUIRY CONCERNING AN INDIVIDUAL'S COMPLIANCE WITH THE LICENSING STANDARDS ESTABLISHED IN THIS ACT MAY CHARGE THE INQUIRING PARTY REASONABLE FEES TO COVER ACTUAL COSTS FOR PRODUCING INFORMATION, DOCUMENTS, AND OTHER ITEMS REQUESTED.

Enacting section 1. Sections 4, 9d, and 16 of the commission on law enforcement standards act, 1965 PA 203, MCL 28.604, 28.609d, and 28.616, are repealed.