

Act No. 295  
Public Acts of 2016  
Approved by the Governor  
October 3, 2016  
Filed with the Secretary of State  
October 4, 2016  
EFFECTIVE DATE: January 2, 2017

**STATE OF MICHIGAN  
98TH LEGISLATURE  
REGULAR SESSION OF 2016**

Introduced by Senators Schuitmaker and Jones

# **ENROLLED SENATE BILL No. 867**

AN ACT to amend 1996 PA 195, entitled “An act to provide for a waiver of tuition grant program at state public institutions of higher education for children and surviving spouses of Michigan police officers and fire fighters killed in the line of duty; to provide for the administration of that tuition grant program; to prescribe certain powers and duties of state officers, agencies, and departments; and to provide for an appropriation,” by amending section 2 (MCL 390.1242), as amended by 2012 PA 470.

*The People of the State of Michigan enact:*

Sec. 2. As used in this act:

- (a) “Academic year” means the period from September 1 of a calendar year to August 31 of the next calendar year.
- (b) “Child” means an individual who is a natural or adopted child of a deceased Michigan police officer or deceased Michigan fire fighter and who was under the age of 21 at the time of the Michigan police officer’s or Michigan fire fighter’s death.
- (c) “Department” means the department of treasury.
- (d) “Eligible student” means a child or surviving spouse of a Michigan police officer or Michigan fire fighter who was or is killed in the line of duty.
- (e) “Eligible tuition” means the tuition charged by a state institution of higher education for an undergraduate class.
- (f) “Killed” means that the Michigan police officer’s or Michigan fire fighter’s death is the direct and proximate result of a traumatic injury incurred in the line of duty.
- (g) “Line of duty” means an action that a Michigan police officer or Michigan fire fighter is obligated or authorized to perform by rule, regulation, condition of employment or service, or law, including, but not limited to, a social, ceremonial, or athletic function that the Michigan police officer or Michigan fire fighter is assigned to or compensated for by the public agency he or she serves.
- (h) “Michigan police officer” means a sheriff or sheriff’s deputy of a sheriff’s department in this state; village or township marshal of a village or township in this state; officer of the police department of any city, village, or township in this state; officer of the Michigan state police; or any other police officer or law enforcement officer trained and licensed or certified under the Michigan commission on law enforcement standards act, 1965 PA 203, MCL 28.601 to 28.615.
- (i) “Michigan fire fighter” means a member including volunteer members and members paid on call of a fire department, or other organization that provides fire suppression and other fire-related services, of a city, township, village, or county who is responsible for or is in a capacity that includes responsibility for the extinguishment of fires. Michigan fire fighter does not include a person whose job description, duties, or responsibilities do not include direct involvement in fire suppression.

(j) "Occupational disease" means a disease that routinely constitutes a special hazard in, or is commonly regarded as concomitant of, the Michigan police officer's or Michigan fire fighter's occupation.

(k) "State institution of higher education" means a public community or junior college established under section 7 of article VIII of the state constitution of 1963 or part 25 of the revised school code, 1976 PA 451, MCL 380.1601 to 380.1607, or a state university described in section 4, 5, or 6 of article VIII of the state constitution of 1963.

(l) "Survivor's tuition grant" means a tuition grant awarded to an eligible student under this act.

(m) "Traumatic injury" means a wound or the condition of the body caused by external force, including, but not limited to, an injury inflicted by bullet, explosive, sharp instrument, blunt object or other physical blow, fire, smoke, chemical, electricity, climatic condition, infectious disease, radiation, or bacteria, but excluding an injury resulting from stress, strain, or occupational disease.

(n) "Undergraduate class" means a class or course that provides a student with academic credit applicable toward a bachelor or associate degree from a state institution of higher education.

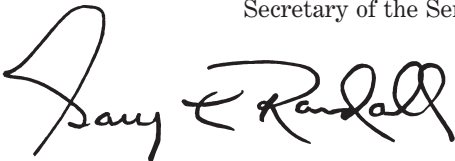
Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law.

Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 92 of the 98th Legislature is enacted into law.

This act is ordered to take immediate effect.



Secretary of the Senate



Clerk of the House of Representatives

Approved .....

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Governor