

Act No. 303  
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 Reps. Cole, Kesto and Tedder**

# **ENROLLED HOUSE BILL No. 5499**

AN ACT to amend 2001 PA 185, entitled "An act to commission and confer certain police and arrest powers on certain sergeants at arms and assistant sergeants at arms in the legislative branch; to prescribe certain duties and responsibilities of certain state employees; and to repeal acts and parts of acts," by amending section 2 (MCL 4.382).

*The People of the State of Michigan enact:*

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

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

(a) The capitol building and capitol grounds.

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

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

(d) Legislative parking areas.

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

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

(4) The senate may delegate, pursuant to rules of the senate, the authority to commission the sergeant at arms or assistant sergeants at arms as police officers and delegate their responsibilities under subsection (1) to the senate majority leader, the secretary of the senate, or other officers or employees of the senate.

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

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

(7) A sergeant at arms or an assistant sergeant at arms commissioned as a police officer under this act is subject to the training and licensure or certification requirements under the Michigan commission on law enforcement standards act, 1965 PA 203, MCL 28.601 to 28.615.

(8) Not less than once per legislative session, the individual designated to supervise the sergeants at arms under house rules and the individual designated to supervise the sergeants at arms under senate rules, or their designees, shall report to the standing committees of the house of representatives and senate concerned with government operations and oversight respectively on the activities of the sergeants at arms and other matters of interest involving the security and decorum in their respective houses.

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.



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Clerk of the House of Representatives



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Secretary of the Senate

Approved .....

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Governor