

HOUSE BILL No. 4273

February 23, 2017, Introduced by Reps. Wittenberg and Howrylak and referred to the Committee on Regulatory Reform.

A bill to amend 1980 PA 299, entitled
"Occupational code,"
(MCL 339.101 to 339.2677) by adding section 1439.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 1439. A LICENSEE THAT EMPLOYS OR ENGAGES AN INDIVIDUAL TO
2 PROVIDE SERVICES AS A SECURITY GUARD DIRECTLY TO THE LICENSEE'S
3 CUSTOMERS SHALL ENSURE THAT ALL OF THE FOLLOWING ARE MET:

4 (A) BEFORE HE OR SHE ACTS AS A SECURITY GUARD WITHOUT DIRECT
5 SUPERVISION, THE INDIVIDUAL COMPLETES AT LEAST 12 HOURS OF ON-THE-
6 JOB, SITE-SPECIFIC TRAINING UNDER THE IMMEDIATE SUPERVISION OF AN
7 EXPERIENCED SUPERVISOR.

8 (B) IN THE FIRST 90 DAYS OF HIS OR HER EMPLOYMENT, THE
9 INDIVIDUAL COMPLETES AT LEAST 12 HOURS OF CLASSROOM TRAINING,
10 SELECTED BY THE LICENSEE, THAT MEETS THE REQUIREMENTS OF SECTION
11 1440 (1) .

1 (C) BEFORE HE OR SHE IS AUTHORIZED BY THE LICENSEE TO USE A
2 WEAPON OR RESTRAINT DEVICE WHILE ON DUTY, HE OR SHE COMPLETES THE
3 FOLLOWING REQUIRED TRAINING:

4 (i) FOR AN AEROSOL SPRAY OR CONDUCTED ENERGY DEVICE, ANY
5 MANUFACTURER-AUTHORIZED CERTIFICATION IN THE USE OF THE DEVICE FOR
6 SECURITY OR LAW ENFORCEMENT PERSONNEL. THE LICENSEE SHALL ENSURE
7 THAT THE INDIVIDUAL MAINTAINS THAT CERTIFICATION AT ALL TIMES WHILE
8 HE OR SHE IS EMPLOYED OR ENGAGED BY THE LICENSEE TO PROVIDE
9 SERVICES AS A SECURITY GUARD.

10 (ii) FOR A TACTICAL BATON, 4 CLASS HOURS OF TRAINING SELECTED
11 BY THE LICENSEE.

12 (iii) FOR A RESTRAINT DEVICE, 2 CLASS HOURS OF TRAINING
13 SELECTED BY THE LICENSEE.

14 (iv) FOR A FIREARM, AT LEAST 24 HOURS OF FIREARM RANGE AND
15 CLASSROOM TRAINING THAT INCLUDES AT LEAST 16 HOURS OF FIREARM RANGE
16 TRAINING AND AT LEAST 4 HOURS OF FIREARM CLASSROOM TRAINING.
17 HOWEVER, THIS SUBPARAGRAPH DOES NOT APPLY TO AN INDIVIDUAL WHO HAS
18 COMPLETED EQUIVALENT TRAINING AND WHO SERVED IN THE ARMED FORCES OR
19 IS A RETIRED LAW ENFORCEMENT OFFICER. AS USED IN THIS SUBPARAGRAPH,
20 "EQUIVALENT TRAINING" MEANS TRAINING THAT MEETS OR EXCEEDS THE
21 MINIMUM TRAINING STANDARDS DESCRIBED IN THIS SUBPARAGRAPH WITHIN
22 THE LAST 2 YEARS.

23 (D) THE INDIVIDUAL ANNUALLY COMPLETES AT LEAST 4 HOURS OF
24 FIREARMS TRAINING IF THE LICENSEE HAS AUTHORIZED HIM OR HER TO USE
25 A FIREARM WHILE ON DUTY.

26 (E) EVERY 2 YEARS, THE INDIVIDUAL COMPLETES AT LEAST 4 HOURS
27 OF CONTINUING CLASSROOM TRAINING IN THE SUBJECTS DESCRIBED IN

1 SECTION 1440(1)(A) TO (C); IN THE USE OF A TACTICAL BATON IF THE
2 LICENSEE HAS AUTHORIZED HIM OR HER TO USE A TACTICAL BATON WHILE ON
3 DUTY; AND IN THE USE OF A RESTRAINT DEVICE IF THE LICENSEE HAS
4 AUTHORIZED HIM OR HER TO USE A RESTRAINT DEVICE WHILE ON DUTY.

5 (F) BEFORE HE OR SHE IS AUTHORIZED BY THE LICENSEE TO USE A
6 FIREARM WHILE ON DUTY, HE OR SHE PROVIDES PROOF THAT IS
7 SATISFACTORY TO THE LICENSEE THAT HE OR SHE POSSESSES A LICENSE TO
8 CARRY A CONCEALED PISTOL UNDER 1927 PA 372, MCL 28.421 TO 28.435.

9 Enacting section 1. This amendatory act takes effect January
10 1, 2018.

11 Enacting section 2. This amendatory act does not take effect
12 unless all of the following bills of the 99th Legislature are
13 enacted into law:

14 (a) Senate Bill No.____ or House Bill No.____ (request no.
15 01888'17).

16 (b) Senate Bill No.____ or House Bill No.____ (request no.
17 01888'17 a).

18 (c) Senate Bill No.____ or House Bill No.____ (request no.
19 01888'17 b).

20 (d) Senate Bill No.____ or House Bill No.____ (request no.
21 01889'17).

22 (e) Senate Bill No.____ or House Bill No. 4274 (request no.
23 01891'17).