

HOUSE BILL No. 6105

June 5, 2018, Introduced by Reps. Garrett, Geiss, Love, Byrd and Yancey and referred to the Committee on Education Reform.

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1240 (MCL 380.1240), as amended by 2016 PA 192.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1240. (1) Subject to subsection (3), the board of **AN**
2 **INTERMEDIATE SCHOOL DISTRICT OR THE BOARD OF** a school district that
3 has a membership of at least 20,000 pupils and that includes in its
4 territory a city with a population of at least 180,000 as of the
5 most recent decennial census may create a law enforcement agency in
6 accordance with and as provided under the public body law
7 enforcement agency act, 2004 PA 378, MCL 28.581 to 28.590.

8 (2) Subject to subsection (3), if the board of **AN INTERMEDIATE**
9 **SCHOOL DISTRICT OR THE BOARD OF** a school district creates a law

1 enforcement agency under subsection (1), the board may grant to law
2 enforcement officers of that law enforcement agency the same
3 powers, immunities, and authority as are granted by law to peace
4 officers and police officers to detect crime and to enforce the
5 criminal laws of this state and to enforce state laws, local
6 ordinances, and the ordinances and regulations of the school
7 district, as provided under the public body law enforcement agency
8 act, 2004 PA 378, MCL 28.581 to 28.590. Law enforcement officers to
9 whom the authority of peace officers and police officers is granted
10 under that act are considered peace officers of this state and have
11 the authority of police officers provided under the Michigan
12 vehicle code, 1949 PA 300, MCL 257.1 to 257.923, and as provided
13 under the code of criminal procedure, 1927 PA 175, MCL 760.1 to
14 777.69.

15 (3) If a school district operates a law enforcement agency
16 under this section and becomes a qualifying school district under
17 section 12b, the qualifying school district's law enforcement
18 agency ~~shall~~**MUST** be transferred by operation of law on the
19 transfer date to the community district created under part 5b.
20 Beginning on the transfer date, the community district may operate
21 a law enforcement agency in accordance with this section.

22 (4) For purposes of this section, a community district's
23 membership is considered to be the same as the membership of the
24 qualifying school district whose law enforcement agency is
25 transferred under subsection (3).

26 (5) As used in this section, "transfer date" means that term
27 as defined in section 12b.

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

3 Enacting section 2. This amendatory act does not take effect
4 unless Senate Bill No. _____ or House Bill No. 6104 (request no.
5 06318'18) of the 99th Legislature is enacted into law.