

HOUSE BILL NO. 5855

June 11, 2020, Introduced by Reps. Brann, Yancey, Lasinski, Brenda Carter, Tyrone Carter, Hope, Whitsett, Hood, Sneller, Sabo, Warren, Sowerby, Cambensy, Clemente, Cherry, Manoogian, Kuppa, Stone, Hoadley, Guerra, Gay-Dagnogo, O'Malley, Kahle, Wozniak, Brixie, Peterson, Bolden, Meerman, Ellison, Wittenberg, Hammoud, Kennedy and Cynthia Johnson and referred to the Committee on Judiciary.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending sections 1599 and 1809 (MCL 380.1599 and 380.1809),
section 1809 as added by 1995 PA 96.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1599. A parent or other person in parental relation who
2 fails to comply with this part is guilty of a misdemeanor ~~7~~
3 punishable by a fine of not less than \$5.00 ~~nor~~ **or** more than \$50.00
4 ~~7~~ ~~or imprisonment for not less than 2 nor~~ more than 90 days, or
5 both.

1 Sec. 1809. (1) In addition to any other penalty provided by
2 law, a person who uses or attempts to use a teaching certificate
3 that he or she knows is surrendered, suspended, revoked, nullified,
4 fraudulently obtained, altered, or forged, or who uses or attempts
5 to use as his or her own a valid teaching certificate that he or
6 she knows is issued to another person, to obtain employment in a
7 position requiring a valid teaching certificate or who remains
8 employed in a position requiring a valid teaching certificate
9 knowing that he or she does not hold a valid teaching certificate
10 is guilty of a misdemeanor, punishable as follows:

11 (a) For the first offense, by imprisonment for not more than
12 93 days or a fine of not more than \$500.00, or both.

13 (b) For a second or subsequent offense, by imprisonment for
14 ~~not less than 93 days or~~ more than 6 months ~~,~~ or a fine of not less
15 than \$500.00 or more than \$1,000.00, or both.

16 (2) In addition to any other penalty provided by law, a person
17 who uses or attempts to use a school administrator's certificate
18 that he or she knows is surrendered, suspended, revoked, nullified,
19 fraudulently obtained, altered, or forged, or who uses or attempts
20 to use as his or her own a valid school administrator's certificate
21 that he or she knows is issued to another person, to obtain
22 employment as a school administrator or who remains employed in a
23 position requiring a valid school administrator's certificate
24 knowing that he or she does not hold a valid school administrator's
25 certificate is guilty of a misdemeanor, punishable as follows:

26 (a) For the first offense, by imprisonment for not more than
27 93 days or a fine of not more than \$500.00, or both.

28 (b) For a second or subsequent offense, by imprisonment for
29 ~~not less than 93 days or~~ more than 6 months ~~,~~ or a fine of not less

1 than \$500.00 or more than \$1,000.00, or both.

2 (3) In addition to any other penalty provided by law, a person
3 who uses or attempts to use a state board approval that he or she
4 knows is surrendered, suspended, revoked, nullified, fraudulently
5 obtained, altered, or forged, or who uses or attempts to use as his
6 or her own a valid state board approval that he or she knows is
7 issued to another person, to obtain employment in a position
8 requiring a valid state board approval or who remains employed in a
9 position requiring a valid state board approval knowing that he or
10 she does not hold a valid state board approval is guilty of a
11 misdemeanor, punishable as follows:

12 (a) For the first offense, by imprisonment for not more than
13 93 days or a fine of not more than \$500.00, or both.

14 (b) For a second or subsequent offense, by imprisonment for
15 ~~not less than 93 days or more than 6 months~~, or a fine of not less
16 than \$500.00 or more than \$1,000.00, or both.

17 (4) In addition to any other penalty provided by law, a person
18 who uses or attempts to use a college or university transcript or a
19 certificate or other credential that he or she knows is
20 fraudulently obtained, altered, or forged, or who uses or attempts
21 to use as his or her own a college or university transcript or a
22 certificate or other credential that he or she knows is that of
23 another person, to obtain a teaching certificate, school
24 administrator's certificate, or state board approval in this state
25 is guilty of a misdemeanor, punishable as follows:

26 (a) For the first offense, by imprisonment for not more than
27 93 days or a fine of not more than \$500.00, or both.

28 (b) For a second or subsequent offense, by imprisonment for
29 ~~not less than 93 days or more than 6 months~~, or a fine of not less

1 than \$500.00 or more than \$1,000.00, or both.

2 (5) The state board may refuse to issue or renew a teaching
3 certificate, school administrator's certificate, or state board
4 approval, or refuse to issue an endorsement for a teaching
5 certificate or school administrator's certificate, to a person
6 convicted of a violation of this section.

7 (6) As used in this section, "state board approval" means that
8 term as defined in section 1539b.