

**SUBSTITUTE FOR
HOUSE BILL NO. 5341**

A bill 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.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "legislative sergeant at arms police powers act".

3 Sec. 2. (1) Each house of the legislature may commission
4 the sergeant at arms and may commission 1 or more assistant ser-
5 geants at arms within that respective house as police officers,
6 to enforce rules adopted by that house and the laws of this state
7 as designated by the senate and the house of representatives,
8 respectively. In performing those enforcement activities,
9 commissioned sergeants at arms and assistant sergeants at arms

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1 are vested with the powers, privileges, prerogatives, and
2 immunities conferred upon police officers under the laws of this
3 state.

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

9 (a) The capitol building and capitol grounds.

10 (b) Buildings in which the offices of legislative members
11 are located.

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

16 (d) Legislative parking areas.

17 (e) Areas immediately adjacent to the places described in
18 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.]

19 [(4)] The senate may delegate, pursuant to rules of the
20 senate, the authority to commission the sergeant at arms or
21 assistant sergeants at arms as police officers and delegate their
22 responsibilities under subsection (1) to the senate majority
23 leader, the secretary of the senate, or other officers or employ-
24 ees of the senate.

25 [(5)] The house of representatives may delegate, pursuant to
26 rules of the house of representatives, the authority to
27 commission the sergeant at arms or assistant sergeants at arms as

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1 police officers and delegate their responsibilities under
2 subsection (1) to the speaker of the house of representatives,
3 the clerk of the house of representatives, or other officers or
4 employees of the house of representatives.

5 [(6)] The office of sergeant at arms of each house of the leg-
6 islature is a law enforcement agency of this state.

7 [(7)] A sergeant at arms or an assistant sergeant at arms com-
8 missioned as a police officer under this act is subject to the
9 training and certification requirements under the commission on
10 law enforcement standards act, 1965 PA 203, MCL 28.601 to
11 28.616.

12 [(8)] At least once per legislative session, the individual
13 designated to supervise the sergeants at arms under house rules
14 and the individual designated to supervise the sergeants at arms
15 under senate rules, or their designees, shall report to the house
16 oversight and operations committee and the senate government
17 operations committee on the activities of the sergeants at arms
18 and other matters of interest involving the security and decorum
19 in their respective houses.

20 Enacting section 1. This act is repealed upon the expira-
21 tion of 3 years after the effective date of this act.

22 Enacting section 2. This act does not take effect unless
23 House Bill No. 5342 of the 91st Legislature is enacted into law.