

# HOUSE BILL No. 4694

May 1, 2001, Introduced by Reps. Clarke, Julian, Caul, Basham, Kolb, Reeves, Hardman, Garza, Hale, Schauer, Richardville and Lemmons and referred to the Committee on Criminal Justice.

A bill to amend 1968 PA 330, entitled "Private security business and security alarm act," by amending the title and section 17 (MCL 338.1067), as amended by 2000 PA 411, and by adding section 31a.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1 TITLE

2 An act to license and regulate private security guards, pri-  
3 vate security police, private security guard agencies and secur-  
4 ity alarm systems servicing, installing, operating, and monitor-  
5 ing; to provide penalties for violations; to protect the general  
6 public against unauthorized, unlicensed and unethical operations  
7 by individuals engaged in private security activity or security  
8 alarm systems sales, installations, service, maintenance, and  
9 operations; to establish minimum qualifications for individuals  
10 as well as private agencies engaged in the security business and

1 security alarm systems and operations; TO CREATE CERTAIN  
2 COMMISSIONS; and to prescribe the powers and duties of the  
3 department of state police.

4       Sec. 17. (1) A licensee may employ as many persons as he or  
5 she considers necessary to assist him or her in his or her work  
6 of security alarm system contractor, private security police, or  
7 private security guard and in the conduct of his or her business,  
8 and at all times during the employment is accountable for the  
9 good conduct in the business of each person so employed.

10       (2) Employees in the employ of a licensee after ~~the effec-~~  
11 ~~tive date of the amendatory act that added subsection (5)~~ MARCH  
12 28, 2001 shall meet the qualifications outlined in section  
13 6(1)(c), (e), (j), and (k), be at least 18 years of age, and have  
14 had at least an eighth grade education or its equivalent. An  
15 employee in the employ of a licensee on or before ~~the effective~~  
16 ~~date of the amendatory act that added subsection (5)~~ MARCH 28,  
17 2001 shall meet the qualifications outlined in section 6(1)(d),  
18 (e), (j), and (k), be at least 18 years of age, and have had at  
19 least an eighth grade education or its equivalent.

20       (3) A licensee shall keep and maintain in this state ade-  
21 quate and complete personnel information on all persons employed  
22 by him or her.

23       (4) If a licensee falsely states or represents that a person  
24 is or has been in his or her employ, the false statement or rep-  
25 resentation is sufficient cause for the revocation of the  
26 license.

1           (5) THE DEPARTMENT SHALL CONSIDER THE TRAINING REQUIREMENTS  
2 AS RECOMMENDED BY THE SECURITY PROVIDER COMMISSION CREATED UNDER  
3 SECTION 31A. THE DEPARTMENT SHALL ADOPT TRAINING REQUIREMENTS  
4 ACCEPTABLE TO THE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHER-  
5 WISE PROVIDED BY LAW.

6           (6) ~~(5)~~ A person shall not falsely state or represent that  
7 he or she is an agent of a licensed security alarm system con-  
8 tractor, private security police officer, or private security  
9 guard. A person who violates this subsection is guilty of a mis-  
10 demeanor punishable by imprisonment for not more than 93 days or  
11 a fine of not more than \$500.00, or both.

12           SEC. 31A. (1) THERE IS CREATED WITHIN THE DEPARTMENT A  
13 SECURITY PROVIDER ADVISORY COMMISSION. MEMBERS OF THE SECURITY  
14 PROVIDER ADVISORY COMMISSION SHALL INCLUDE INDIVIDUALS FROM THE  
15 PUBLIC AND PRIVATE SECTORS AS DETERMINED BY THE DIRECTOR OF THE  
16 DEPARTMENT. ONE MEMBER SHALL BE A MEMBER OF THE COMMISSION ON  
17 LAW ENFORCEMENT STANDARDS CREATED UNDER THE COMMISSION ON LAW  
18 ENFORCEMENT STANDARDS ACT, 1965 PA 203, MCL 28.601 TO 28.616.

19           (2) THE PURPOSE OF THE SECURITY PROVIDER ADVISORY COMMISSION  
20 IS TO ESTABLISH MINIMUM MANDATORY TRAINING STANDARDS FOR PRIVATE  
21 SECURITY GUARDS, PRIVATE SECURITY POLICE, AND PRIVATE DETECTIVES  
22 LICENSED UNDER THE PRIVATE DETECTIVE LICENSE ACT OF 1965, 1965 PA  
23 285, MCL 338.821 TO 338.851, WHO ARE ACTING AS PRIVATE SECURITY  
24 GUARDS OR PRIVATE SECURITY POLICE AND EXEMPT FROM LICENSURE UNDER  
25 SECTION 4. THE PRIVATE SECURITY PROVIDER ADVISORY COMMISSION  
26 SHALL ESTABLISH THOSE TRAINING STANDARDS NOT LATER THAN 6 MONTHS  
27 AFTER THE CREATION OF THE COMMISSION AND MAY RECOMMEND THE

1 ADOPTION OF THOSE STANDARDS BY THE DIRECTOR OF THE DEPARTMENT.  
2 UPON ESTABLISHMENT OF THE TRAINING STANDARDS, THE COMMISSION  
3 SHALL IMMEDIATELY CONVEY A COPY OF THE TRAINING STANDARDS TO THE  
4 DIRECTOR OF THE DEPARTMENT.

5 (3) WITHIN 1 MONTH AFTER RECEIPT OF THE TRAINING STANDARDS,  
6 THE DIRECTOR OF THE DEPARTMENT SHALL CONSIDER ANY RECOMMENDATION  
7 OF THE COMMISSION AND SHALL DECIDE WHETHER HE OR SHE WILL ADOPT  
8 THE TRAINING STANDARDS, IN WHOLE OR IN PART, BY RULE OR AS OTHER-  
9 WISE PROVIDED BY LAW.

10 Enacting section 1. This amendatory act does not take  
11 effect unless Senate Bill No. \_\_\_\_\_ or House Bill No. 4695  
12 (request no. 03505'01 a) of the 91st Legislature is enacted into  
13 law.