

Act No. 185
Public Acts of 2001
Approved by the Governor
December 20, 2001
Filed with the Secretary of State
December 21, 2001
EFFECTIVE DATE: December 21, 2001

**STATE OF MICHIGAN
91ST LEGISLATURE
REGULAR SESSION OF 2001**

Introduced by Reps. Bradstreet, Julian, Drolet, Gosselin, Hummel, Richardville, Howell, Vander Veen, Ehardt, Vear, Newell, Birkholz, Pumford, Pappageorge, Raczkowski, Shulman and DeVuyst

ENROLLED HOUSE BILL No. 5341

AN ACT 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:

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

Sec. 2. (1) Each house of the legislature may commission the sergeant at arms and may commission 1 or more assistant sergeants at arms within that respective house as police officers, to enforce rules adopted by that house and the laws of this state as designated by the senate and the house of representatives, respectively. In performing those enforcement activities, commissioned sergeants at arms and assistant sergeants at arms are vested with the powers, privileges, prerogatives, and immunities conferred upon police officers under the laws of this state.

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

(a) The capitol building and capitol grounds.

(b) Buildings in which the offices of legislative members or staff are located.

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

(d) Legislative parking areas.

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

(4) The senate may delegate, pursuant to rules of the senate, the authority to commission the sergeant at arms or assistant sergeants at arms as police officers and delegate their responsibilities under subsection (1) to the senate majority leader, the secretary of the senate, or other officers or employees of the senate.

(5) The house of representatives may delegate, pursuant to rules of the house of representatives, the authority to commission the sergeant at arms or assistant sergeants at arms as police officers and delegate their responsibilities

under subsection (1) to the speaker of the house of representatives, the clerk of the house of representatives, or other officers or employees of the house of representatives.

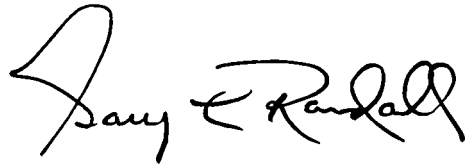
(6) The office of sergeant at arms of each house of the legislature is a law enforcement agency of this state.

(7) A sergeant at arms or an assistant sergeant at arms commissioned as a police officer under this act is subject to the training and certification requirements under the commission on law enforcement standards act, 1965 PA 203, MCL 28.601 to 28.616.

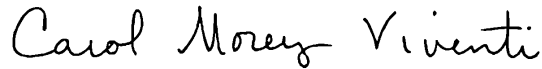
(8) At least once per legislative session, the individual designated to supervise the sergeants at arms under house rules and the individual designated to supervise the sergeants at arms under senate rules, or their designees, shall report to the house oversight and operations committee and the senate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

Enacting section 1. This act does not take effect unless House Bill No. 5342 of the 91st Legislature is enacted into law.

This act is ordered to take immediate effect.



Clerk of the House of Representatives.



Secretary of the Senate.

Approved

Governor.