

SENATE BILL No. 1233

April 27, 2006, Introduced by Senator PATTERSON and referred to the Committee on Judiciary.

A bill to amend 2004 PA 378, entitled
"Public body law enforcement agency act,"
by amending section 4 (MCL 28.584).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4. (1) A public body shall not create a law enforcement
2 agency under this act unless, before that agency is created, the
3 governing entity obtains the approval of the prosecuting attorney
4 **AND SHERIFF** of each county within which the public body owns,
5 maintains, or controls property. If the property of the public body
6 is located entirely within 1 city, the public body also shall
7 obtain the approval of the chief of police of that city. ~~If the~~
8 ~~property of the public body is not located entirely within 1 city,~~
9 ~~the public body also shall obtain the approval of the sheriff of~~

1 ~~each county within which the public body owns, maintains, or~~
2 ~~controls property. If all the property of the public body is~~
3 ~~located within a county which does not have a first class school~~
4 ~~district as defined in 1976 PA 451, the public body shall also~~
5 ~~obtain the approval of the county sheriff.~~ Before granting that
6 approval, the prosecuting attorney, the sheriff, ~~if required,~~ and
7 the chief of police, if required, shall make a determination that
8 the proposed law enforcement agency is needed to assure adequate
9 public safety on the property of the public body and that the
10 proposed agency can comply with the minimum guidelines established
11 under section 6.

12 (2) In addition to the requirements of subsection (1), before
13 creating a law enforcement agency under this act, the governing
14 entity shall hold not fewer than 2 public hearings in the proposed
15 law enforcement agency's jurisdiction on the question of creating
16 the proposed law enforcement agency. The governing entity shall
17 make a record of the hearing and shall provide copies of the record
18 to all of the prosecuting attorneys, sheriffs, and chiefs of police
19 from whom approval is required by this section.