

# HOUSE BILL No. 5455

March 6, 2012, Introduced by Rep. Forlini and referred to the Committee on Local, Intergovernmental, and Regional Affairs.

A bill to amend 1996 PA 195, entitled "Police officer's and fire fighter's survivor tuition act," by amending section 2 (MCL 390.1242).

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

1           Sec. 2. As used in this act:

2           (a) "Child" means an individual who is a natural or adopted  
3 child of a deceased Michigan police officer or deceased Michigan  
4 fire fighter and who was under the age of 21 at the time of the  
5 Michigan police officer's or Michigan fire fighter's death.

6           (b) "Department" means the department of ~~state~~  
7 ~~police.~~**TREASURY.**

8           (c) "Killed" means that the Michigan police officer's or

1 Michigan fire fighter's death is the direct and proximate result of  
2 a traumatic injury incurred in the line of duty.

3 (d) "Line of duty" means an action that a Michigan police  
4 officer or Michigan fire fighter is obligated or authorized to  
5 perform by rule, regulation, condition of employment or service, or  
6 law, including, but not limited to, a social, ceremonial, or  
7 athletic function that the Michigan police officer or Michigan fire  
8 fighter is assigned to or compensated for by the public agency he  
9 or she serves.

10 (e) "Michigan police officer" means a sheriff or sheriff's  
11 deputy of a sheriff's department in this state; village or township  
12 marshal of a village or township in this state; officer of the  
13 police department of any city, village, or township in this state;  
14 officer of the Michigan state police; or any other police officer  
15 or law enforcement officer trained and certified ~~pursuant to~~**UNDER**  
16 ~~the Michigan law enforcement officers training council act of 1965,~~  
17 ~~Act No. 203 of the Public Acts of 1965, being sections 28.601 to~~  
18 ~~28.616 of the Michigan Compiled Laws.**COMMISSION ON LAW ENFORCEMENT**  
19 **STANDARDS ACT, 1965 PA 203, MCL 28.601 TO 28.616.**~~

20 (f) "Michigan fire fighter" means a member including volunteer  
21 members and members paid on call of a fire department, or other  
22 organization that provides fire suppression and other fire-related  
23 services, of a city, township, village, or county who is  
24 responsible for or is in a capacity that includes responsibility  
25 for the extinguishment of fires. Michigan fire fighter does not  
26 include a person whose job description, duties, or responsibilities  
27 do not include direct involvement in fire suppression.

1 (g) "Occupational disease" means a disease that routinely  
2 constitutes a special hazard in, or is commonly regarded as  
3 concomitant of, the Michigan police officer's or Michigan fire  
4 fighter's occupation.

5 (h) "State institution of higher education" means a public  
6 community or junior college established under section 7 of article  
7 VIII of the state constitution of 1963 or part 25 of the revised  
8 school code, ~~Act No. 451 of the Public Acts of 1976, being sections~~  
9 ~~380.1601 to 380.1607 of the Michigan Compiled Laws, 1976 PA 451,~~  
10 **MCL 380.1601 TO 380.1607**, or a state university described in  
11 section 4, 5, or 6 of article VIII of the state constitution of  
12 1963.

13 (i) "Traumatic injury" means a wound or the condition of the  
14 body caused by external force, including, but not limited to, an  
15 injury inflicted by bullet, explosive, sharp instrument, blunt  
16 object or other physical blow, fire, smoke, chemical, electricity,  
17 climatic condition, infectious disease, radiation, or bacteria, but  
18 excluding an injury resulting from stress, strain, or occupational  
19 disease.

20 (j) "Tuition" means tuition at the rate charged for residents  
21 of this state.