

Act No. 581
Public Acts of 2012
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**STATE OF MICHIGAN
96TH LEGISLATURE
REGULAR SESSION OF 2012**

Introduced by Senator Hildenbrand

ENROLLED SENATE BILL No. 1292

AN ACT to amend 1968 PA 330, entitled "An act to license and regulate private security guards, private security police, private security guard agencies, private college security forces, and security alarm systems servicing, installing, operating, and monitoring; to provide penalties for violations; to protect the general public against unauthorized, unlicensed and unethical operations by individuals engaged in private security activity or security alarm systems sales, installations, service, maintenance, and operations; to establish minimum qualifications for individuals as well as private agencies engaged in the security business and security alarm systems and operations; to impose certain fees; to create certain funds; and to prescribe certain powers and duties of certain private colleges and certain state departments, agencies, and officers," by amending section 2 (MCL 338.1052), as amended by 2010 PA 68.

The People of the State of Michigan enact:

Sec. 2. (1) As used in this act:

(a) "Commission" means the commission on law enforcement standards created under section 3 of the commission on law enforcement standards act, 1965 PA 203, MCL 28.603.

(b) "Department" means the department of licensing and regulatory affairs, except that in reference to the regulation of private security police and private college security forces, department means the department of state police.

(c) "Governing board" means a board of regents, board of trustees, board of governors, board of control, or other governing body of an institution of higher education.

(d) "Licensee" means a person licensed under this act.

(e) "Person" means an individual, limited liability company, corporation, or other legal entity.

(f) "Private college security force" means a security force authorized under section 37.

(g) "Private security guard" means an individual or an employee of an employer who offers, for hire, to provide protection of property on the premises of another, and includes an employee of a private college security force.

(h) "Private security police" means that part of a business organization or educational institution primarily responsible for the protection of property on the premises of the business organization, but does not include a private college security force.

(i) "Security alarm system" means a detection device or an assembly of equipment and devices that is arranged to signal the presence of a hazard that requires urgent attention and is remotely monitored by a central monitoring system. Security alarm system includes any system that can electronically cause an expected response by a law enforcement agency to a premises by means of the activation of an audible signal, visible signal, electronic notification, or video signal, or any combination of these signals, to a remote monitoring location on or off the premises. Security alarm system does not include any of the following:

(i) A video signal that is not transmitted over a public communication system.

(ii) A fire alarm system.

(iii) An alarm system that monitors temperature, humidity, or other condition that is not directly related to the detection of an unauthorized intrusion into a premises or an attempted robbery at a premises.

(iv) A system that is not monitored by a central monitoring station and does not set off an audible alarm.

(j) "Security alarm system agent" means an individual employed by a security alarm system contractor whose duties include the altering, installing, maintaining, moving, repairing, replacing, selling, servicing, monitoring, responding to, or causing others to respond to a security alarm system.

(k) "Security alarm system contractor" means a person engaged in the installation, maintenance, alteration, monitoring, or servicing of security alarm systems or who responds to a security alarm system. Security alarm system contractor does not include a business that only sells or manufactures security alarm systems unless the business services security alarm systems, installs security alarm systems, monitors or arranges for the monitoring of a security alarm system, or responds to security alarm systems at a protected premises.

(l) "Security business" means a person engaged in offering, arranging, or providing 1 or more of the following services:

(i) Security alarm system installation, service, maintenance, alteration, or monitoring.

(ii) Private security guard.

(iii) Private security police.

(2) All businesses that provide security alarm systems for the protection of persons and property and whose employees and security technicians travel on public property and thoroughfares in the pursuit of their duties are subject to this act.

(3) A communications common carrier that provides communications channels under tariffs for the transmission of signals in connection with an alarm system is not subject to this act.

(4) A railroad policeman who is appointed and commissioned under the railroad code of 1993, 1993 PA 354, MCL 462.101 to 462.451, is not subject to this act.

(5) A system provider, as defined in section 2 of the security alarm systems act, that is registered under the security alarm systems act, is not subject to this act.

Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 1291 of the 96th Legislature is enacted into law.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Jay E. Randall

Clerk of the House of Representatives

Approved

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Governor