

HOUSE BILL No. 5333

February 18, 2014, Introduced by Rep. Hobbs and referred to the Committee on Regulatory Reform.

A bill to amend 1968 PA 330, entitled
 "Private security business and security alarm act,"
 by amending section 17 (MCL 338.1067), as amended by 2010 PA 68.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 17. (1) A licensee may employ as many ~~persons~~**INDIVIDUALS**
 2 as ~~he or she~~**THE LICENSEE** considers necessary to assist ~~him or her~~
 3 **THE LICENSEE** in ~~his or her~~**ITS** work of security alarm system
 4 contractor, private security police, private college security
 5 force, or private security guard and in the conduct of ~~his or her~~
 6 **THAT** business, and at all times during the employment is
 7 accountable for the good conduct in the business of each ~~person~~
 8 ~~employed~~**INDIVIDUAL THAT THE LICENSEE EMPLOYS.**

9 (2) Employees in the employ of a licensee after March 28, 2001

1 shall meet the qualifications outlined in section 6(1)(c), (e),
2 (j), and (k), be at least 18 years of age, and have had at least an
3 eighth grade education or its equivalent. An employee in the employ
4 of a licensee on or before March 28, 2001 shall meet the
5 qualifications outlined in section 6(1)(d), (e), (j), and (k), be
6 at least 18 years of age, and have had at least an eighth grade
7 education or its equivalent. Employees hired by a licensee after
8 June 21, 2002 shall meet the qualifications outlined in section
9 6(1)(c), (e), (j), and (k), be at least 18 years of age, and have
10 at least a high school diploma, a GED, or its equivalent.

11 (3) BEGINNING 90 DAYS AFTER THE EFFECTIVE DATE OF SECTION 17B,
12 A PERSON THAT IS LICENSED AS A PRIVATE SECURITY GUARD OR PRIVATE
13 SECURITY GUARD AGENCY SHALL ENSURE THAT ALL OF THE FOLLOWING ARE
14 MET:

15 (A) THAT THE LICENSEE, IF THE LICENSEE IS AN INDIVIDUAL, AND
16 EACH EMPLOYEE OF THE LICENSEE WHO PROVIDES PROTECTION OF PROPERTY
17 ON ANOTHER PERSON'S PREMISES COMPLETE TRAINING IN AT LEAST ALL OF
18 THE FOLLOWING BEFORE THAT INDIVIDUAL PROVIDES PROTECTION OF
19 PROPERTY ON ANOTHER PERSON'S PREMISES:

20 (i) FIRST AID, CARDIOPULMONARY RESUSCITATION, AND FOREIGN BODY
21 OBSTRUCTION OF THE AIRWAY.

22 (ii) EMERGENCY PREPAREDNESS.

23 (iii) PROPER USE OF TASERS, PEPPER SPRAY, AND OTHER SELF-DEFENSE
24 DEVICES AND AGENTS.

25 (iv) LEGAL ASPECTS OF THE SECURITY GUARD BUSINESS AND THE USE
26 OF FORCE.

27 (v) CUSTOMER SERVICE ISSUES, INCLUDING, BUT NOT LIMITED TO,

1 WORKING WITH AND ADDRESSING THE PUBLIC.

2 (B) THAT EACH INDIVIDUAL DESCRIBED IN SUBDIVISION (A)
3 COMPLETES ADDITIONAL TRAINING IN AT LEAST THE TOPICS DESCRIBED IN
4 SUBDIVISION (A) (i) TO (v) AT LEAST EVERY 5 YEARS AFTER HIS OR HER
5 INITIAL TRAINING UNDER SUBDIVISION (A).

6 (C) THAT BEFORE HE OR SHE PROVIDES PROTECTION OF PROPERTY ON
7 ANOTHER PERSON'S PREMISES, AN INDIVIDUAL DESCRIBED IN SUBDIVISION
8 (A) SUCCESSFULLY COMPLETES A COURSE APPROVED BY THE DEPARTMENT IN
9 FIRST AID AND CARDIOPULMONARY RESUSCITATION, INCLUDING A TEST
10 DEMONSTRATION ON A MANNEQUIN; SUCCESSFULLY COMPLETES INSTRUCTION
11 APPROVED BY THE DEPARTMENT IN FOREIGN BODY AIRWAY OBSTRUCTION
12 MANAGEMENT; AND HOLDS, AND MAINTAINS AT ALL TIMES HE OR SHE IS
13 ENGAGED IN PROVIDING PROTECTION OF PROPERTY ON ANOTHER PERSON'S
14 PREMISES FOR THE LICENSEE, VALID CERTIFICATION IN THE TOPICS
15 DESCRIBED IN THIS SUBDIVISION THAT IS ISSUED BY THE AMERICAN RED
16 CROSS, AMERICAN HEART ASSOCIATION, OR A COMPARABLE ORGANIZATION OR
17 INSTITUTION APPROVED BY THE DEPARTMENT.

18 (4) ~~(3)~~—A licensee shall keep and maintain in this state
19 adequate and complete personnel information on all ~~persons employed~~
20 ~~by him or her.~~ **EMPLOYEES OF THE LICENSEE.** A complete employee
21 roster in a manner described by the department shall be filed with
22 the department by each licensee on a quarterly basis. The rosters
23 must be filed with the department by April 15, July 15, October 15,
24 and January 15 for the preceding quarter. Failure to submit
25 accurate rosters is cause for suspension of the license. ~~A THE~~
26 **DEPARTMENT SHALL NOT PROCESS A** renewal application ~~shall not be~~
27 ~~processed~~ if the quarterly roster has not been received for each

1 quarter of the preceding 2-year license period.

2 (5) ~~(4)~~—If a licensee falsely states or represents that a
3 ~~person~~**AN INDIVIDUAL** is or has been ~~in his or her employ,~~**AN**
4 **EMPLOYEE OF THE LICENSEE**, the false statement or representation is
5 sufficient cause for the revocation of the license.

6 (6) ~~(5)~~—A ~~person~~**AN INDIVIDUAL** shall not falsely state or
7 represent that he or she is an agent of a licensed security alarm
8 system contractor, private security police officer, private college
9 security force officer, or private security guard. ~~A person~~**AN**
10 **INDIVIDUAL** who violates this subsection is guilty of a misdemeanor
11 punishable by imprisonment for not more than 93 days or a fine of
12 not more than \$500.00, or both.

13 Enacting section 1. This amendatory act does not take effect
14 unless Senate Bill No. ____ or House Bill No. 5334 (request no.
15 04994'14) of the 97th Legislature is enacted into law.