



**MCOLES**  
Michigan Commission on Law Enforcement Standards

***Commission Resolution 2014-03  
A Revision of Senate Bill 411***

**WHEREAS**, the Michigan Commission on Law Enforcement Standards has the authority to make recommendations to the Legislature on matters pertaining to qualification and training of law enforcement officers under Section 11(1)(e) of the Commission on Law Enforcement Standards Act, MCL 28.611(1)(e); and

**WHEREAS**, the Commission has previously adopted resolutions recommending substantial amendments to 1965 PA 203, which were embodied in Senate Bill 411 and the Substitute for Senate Bill 411; and

**WHEREAS**, the Commission has received substantial comments from various representatives of the law enforcement community concerning the need for further amendments to 1965 PA 203; now

**THEREFORE, BE IT RESOLVED**, that the Michigan Commission on Law Enforcement Standards:

- (1) Recommend to the Legislature the language in this Resolution to further amend 1965 PA 203; and
- (2) Authorize the Executive Director, MCOLES Staff, and MCOLES Legal Counsel to work with the Legislature toward the introduction of legislation to effectuate the amendments recommended in this Resolution; and
- (3) Authorize the Executive Director, MCOLES Staff, and MCOLES Legal Counsel to work with the Legislature to make editorial changes and corrections that will not alter the meaning or substance of the amendments recommended in this Resolution:

**Section 1**

This act shall be known and may be cited as the "Michigan commission on law enforcement standards act".

**Section 2**

As used in this act:

- (a) "Adjudication of guilt" means any of the following:
  - (i) Entry of a judgment or verdict of guilty, or guilty but mentally ill, following a trial.
  - (ii) Entry of a plea of guilty or nolo contendere.
  - (iii) Entry of any of the adjudications specified in subparagraph (i) or (ii), in conjunction with an order entered under section 1 of chapter XI of the code of criminal procedure, 1927 PA 175, MCL 771.1, or any other order delaying sentence.
  - (iv) Entry of any of the adjudications specified in subparagraph (i) or

(ii), in conjunction with an assignment to the status of youthful trainee under the holmes youthful trainee act, as provided in section 11 of chapter II of the code of criminal procedure, 1927 PA 175, MCL 762.11.

(v) Entry of any of the adjudications specified in subparagraph (i) or (ii), in conjunction with probation under section 7411 of the public health code, 1978 PA 368, MCL 333.7411.

(vi) Entry of any of the adjudications specified in subparagraph (i) or (ii), in conjunction with probation under section 4a of Chapter IX of the code of criminal procedure, 1927 PA 175, MCL 769.4a.

(b) "Commission" means the Michigan commission on law enforcement standards created in this act or, by express delegation of the Michigan commission on law enforcement standards, its executive director and staff.

(c) "Contested case" means that term as defined in section 3 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.203.

(d) "Executive director" means the executive director of the commission appointed under this act.

(e) "Law enforcement agency" means an entity that is established and maintained in accordance with the laws of this state and is authorized by the laws of this state to appoint or employ law enforcement officers.

(f) "Law enforcement officer" means:

(i) Except as provided in subparagraph (ii), a person employed by a law enforcement agency as 1 or more of the following:

(a) A person authorized by law, including common law, to prevent and detect crime and enforce the general criminal laws of this state. This does not include a person serving solely because he or she occupies any other office or position.

(b) A person employed as a Michigan tribal law enforcement officer by a federally recognized Indian tribe that has trust lands located within this state, subject to a written instrument authorizing the person to enforce the laws of this state.

(c) The sergeant at arms or any assistant sergeant at arms of either house of the legislature who is commissioned as a police officer by that respective house of the legislature as provided by the legislative sergeant at arms police powers act, 2001 PA 185, MCL 4.381 to 4.382.

(d) A law enforcement officer of a multicounty metropolitan district as provided under section 3 of 2004 PA 378, MCL 28.583.

(e) A county prosecuting attorney's investigator sworn and fully empowered by the sheriff of that county as provided under article VII of the state constitution of 1963 and section 70 of 1846 RS 14, MCL 51.70.

(f) A fire arson investigator from a fire department within a village, city, township, or county who is sworn and fully empowered by the chief of police of that village, city, township, or county.

(g) Officers and investigators appointed by state departments represented on the Michigan highway reciprocity board as provided under section 15 of 1960 PA 124, MCL 3.175.

(h) A superintendent, watchperson, or guard appointed or chosen as provided under sections 1 and 3 of 1905 PA 80, MCL 19.141 and MCL 19.143.

(i) A commissioner or officer of the Michigan state police appointed as provided under section 6 of 1935 PA 59, MCL 28.6.

(j) A conservation officer appointed by the Michigan state police as provided under section 6a of 1935 PA 59, MCL 28.6a.

(k) An officer appointed by a public body as provided under section 3 of the public body law enforcement agency act, 2004 PA 378, MCL 28.583.

- (l) A general law township constable appointed to perform both statutory criminal and civil duties as provided under section 82 of 1846 RS 16, MCL 41.82.
- (m) An officer appointed to a general law township police department as provided under section 6 of 1951 PA 33, MCL 41.806.
- (n) A marshal, policeman, watchman, or officer appointed to a charter township police force as provided under section 12 of the charter township act, 1947 PA 359, MCL 42.12.
- (o) A park ranger appointed by a county or regional parks and recreation commission as provided under section 14 of 1965 PA 261, MCL 46.364.
- (p) A sheriff elected as provided under Article VII of the state constitution of 1963, or appointed as provided under Article V of the state constitution of 1963.
- (q) An undersheriff or deputy sheriff appointed as provided under section 70 of 1846 RS 14, MCL 51.70.
- (r) A police officer appointed by a general law village as provided under section 13 of the general law village act, 1895 PA 3, MCL 70.13.
- (s) A police officer appointed by a home rule village as provided under section 22 of the home rule village act, 1909 PA 278, MCL 78.22.
- (t) A marshal appointed to serve as chief of police of a fourth class city as provided under section 16 of the fourth class city act, 1895 PA 215, MCL 87.16.
- (u) A constable appointed by a fourth class city as provided under section 24 of the fourth class city act, 1895 PA 215, MCL 87.24.
- (v) A police chief, policeman, or nightwatchman appointed by a fourth class city as provided under section 1 of the fourth class city act, 1895 PA 215, MCL 92.1.
- (w) A police officer or constable appointed by a home rule city as provided under sections 3 and 32 of the home rule city act, 1909 PA 279, MCL 117.3 and MCL 117.32.
- (x) An airport law enforcement officer, guard, or police officer appointed by a public airport authority as provided under section 116 of the aeronautics code of the state of Michigan, 1945 PA 327, MCL 259.116.
- (y) A conservation officer appointed by the director of the department of natural resources as provided under section 1 of 1986 PA 109, MCL 300.21, or sections 1501, 1601, and 1606(1) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.1501, 324.1601, and 324.1606.
- (z) A public safety officer appointed to a department of public safety as provided under section 1606b of the revised school code, 1976 PA 451, MCL 380.1606b.
- (aa) A public safety officer appointed by a community college as provided under section 128 of the community college act of 1966, 1966 PA 331, MCL 389.128.
- (bb) A public safety officer appointed by the board of control of Saginaw valley state university as provided under section 5a of 1965 PA 278, MCL 390.715a.
- (cc) A public safety officer appointed by the board of control of a higher education institution as provided under section 1 of 1990 PA 120, MCL 390.1511.
- (dd) An investigator appointed by the attorney general as provided under section 10 of the Medicaid false claim act, 1977 PA 72, MCL 400.610.
- (ee) An investigator appointed by the attorney general as provided under section 8 of the health care false claim act, 1984 PA 323, MCL 752.1008.
- (ff) An investigator appointed by the attorney general as provided under section 35 of 1846 RS 12, MCL 14.35.
- (gg) A railroad police officer acting as provided under section 367 of the railroad code of 1993, 1993 PA 354, MCL 462.367.
- (hh) An inspector appointed by the state transportation commission as provided under section 13 of the motor carrier act, 1933 PA 254, MCL 479.13.

(ii) A law enforcement officer licensed under this act whose duties are performed in conjunction with a joinder of two or more municipal corporations under section 1 of 1951 PA 35, MCL 124.1.

(jj) A law enforcement officer licensed under this act whose duties are performed in conjunction with an interlocal agreement entered into under 1967 (ex sess) PA 7, MCL 124.501 to 124.512.

(kk) A law enforcement officer licensed under this act whose duties are performed in conjunction with a transfer of functions or responsibilities under 1967 (ex sess) PA 8, MCL 124.531 to 124.536.

(ll) A law enforcement officer licensed under this act whose duties have been transferred to an authority and who is given a comparable position of employment with that authority as provided under 1988 PA 57, MCL 124.601 to 124.614.

(ii) "Law enforcement officer" does not include any of the following:

(a) A general law township constable appointed as a district court officer or appointed to perform civil duties, but not statutory criminal duties, as provided in section 82 of 1846 RS 16, MCL 41.82.

(b) A temporary policeman appointed under section 2 of the fourth class city act, 1895 PA 215, MCL 92.2.

(c) A person authorized to issue citations as a volunteer as provided under section 675d of the Michigan vehicle code, 1949 PA 300, MCL 257.675d.

(d) A security employee appointed by the director of the department of state police as provided under section 6c of 1935 PA 59, MCL 28.6c.

(e) A motor carrier officer appointed by the department of state police as provided in section 6d of 1935 PA 59, MCL 28.6d, section 5 of 1956 PA 62, MCL 257.955, and section 73 of 2006 PA 108, MCL 257.1873.

(f) The director of the department of agriculture granted peace officer authority as provided in section 9h of the motor fuels quality act, 1984 PA 44, MCL 290.649h.

(g) An agent of the department of energy, labor and economic growth granted peace officer authority as provided in section 27 of the private security business and security alarm act, 1968 PA 330, MCL 338.1077.

(h) An attendance officer granted the powers of a deputy sheriff as provided in section 1571 of the revised school code, 1976 PA 451, MCL 380.1571.

(i) A park and recreation officer commissioned under section 1606(2) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.1606.

(j) A volunteer conservation officer appointed by the department of natural resources as provided in section 1607 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.1607.

(k) A state forest officer appointed by the director of the department of natural resources as provided in section 83107 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.83107.

(l) A special deputy appointed by a sheriff to do particular acts under section 70 of RS 1846, MCL 51.70.

(m) An officer appointed to conduct salvage vehicle inspections as provided in section 217c of the Michigan vehicle code, 1949 PA 300, MCL 257.217c, who is not otherwise employed as a law enforcement officer.

(n) A private security guard, private security police officer, or private college security force officer employed or appointed as provided in the private security business and security alarm act, 1968 PA 330, MCL 338.1051 to 338.1092.

(o) The attorney general.

(p) The secretary of state.

(q) A member of the highway reciprocity board granted peace officer authority under section 15 of 1960 PA 124, MCL 3.175.

(r) A member of a sheriff's posse.

(s) A police auxiliary.

(t) A reserve officer.

(u) An officer or investigator appointed by the department of state as provided under section 213 of the Michigan vehicle code, 1949 PA 300, MCL 257.213.

(v) An authorized agent of the state transportation department or a county road commission performing duties authorized under section 724 of the Michigan vehicle code, 1949 PA 300, MCL 257.724.

(w) An enforcement officer appointed by the aeronautics commission under section 55 of the aeronautics code of the state of Michigan, 1945 PA 327, MCL 259.55.

(x) A railroad conductor acting under section 3 of 1913 PA 68, MCL 436.203.

(y) An inspector authorized to enforce the Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1101 to 436.2303, and rules promulgated by the liquor control commission as provided in section 201 of the Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1201.

(z) A person not licensed under this act whose law enforcement duties are performed in conjunction with a joinder of 2 or more municipal corporations under 1951 PA 35, MCL 124.1 to 124.13.

(aa) A person not licensed under this act whose law enforcement duties are performed in conjunction with an interlocal agreement entered into under the urban cooperation act of 1967, 1967 (ex sess) PA 7, MCL 124.501 to 124.512.

(bb) A person not licensed under this act whose law enforcement duties are performed in conjunction with a transfer of functions or responsibilities under 1967 (ex sess) PA 8, MCL 124.531 to 124.536.

(cc) A person not licensed under this act whose law enforcement duties have been transferred to an authority and who is given a comparable position of employment with that authority as provided under 1988 PA 57, MCL 124.601 to 24.614.

(dd) A marshal appointed as provided in section 11 of 1889 PA 39, MCL 455.61 or section 15 of 1929 PA 137, MCL 455.215.

(g) "Law enforcement training academy" means any of the following:

(i) An agency basic law enforcement training academy.

(ii) A preservice college basic law enforcement training academy.

(iii) A regional basic law enforcement training academy.

(h) "License" means documentation of licensure by the commission under this act.

(i) "Licensing standards" means the requirements with which a person must comply for licensure as a law enforcement officer under this act.

(j) "Licensure" means a determination by the commission that both of the following occurred in compliance with this act and rules promulgated under the authority of this act:

(i) The person to whom the license is issued commenced employment as a law enforcement officer, subject to a written oath of office or other written instrument conferring law enforcement authority.

(ii) The law enforcement agency employing the person, or the law enforcement agency or other governmental agency conferring law enforcement authority upon the person, attested to the commission that the person complied with the licensing standards.

(k) "Michigan tribal law enforcement officer" means a person employed as a law enforcement officer by a federally recognized Indian tribe that has trust lands located within this state, subject to a written instrument authorizing the person to enforce the laws of this state.

(l) "Multicounty metropolitan district" means an entity authorized and established under state law by 2 or more counties with a combined population of not less than 3,000,000, for the

purpose of cooperative planning, promoting, acquiring, constructing, owning, developing, maintaining, or operating parks.

(m) "Rule" means a rule promulgated under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

### **Section 3**

(1) The Michigan commission on law enforcement standards is created to carry out the intent of this act.

(2) The commission consists of the following members:

(a) The attorney general, or his or her designated representative from within the department of attorney general.

(b) The director of the department of state police, or his or her designated representative who is a law enforcement officer within the Department of State Police.

(c) The chief of a police department of a city that has a population of more than 600,000, or his or her designee who is a command officer within that department.

(d) The following members appointed by the governor, subject to disapproval by the senate under section 6 of Article V of the state constitution of 1963, as follows:

(i) Three individuals selected from a list of not fewer than 9 active voting members of and submitted by the Michigan association of chiefs of police.

(ii) Three individuals selected from a list of not fewer than 9 elected sheriffs submitted by the Michigan sheriffs' association.

(iii) One individual selected from a list of not fewer than 3 county prosecuting attorneys submitted by the prosecuting attorneys association of Michigan.

(iv) One individual selected from a list of not fewer than 3 individuals submitted by the criminal defense attorneys of Michigan.

(v) One individual selected from a list of not fewer than 3 individuals submitted by the Michigan state police troopers association.

(vi) One individual selected from a list of not fewer than 3 names submitted by the Michigan chapter of the fraternal order of police.

(vii) One individual selected from a list of not fewer than 3 names submitted by the police officers association of Michigan.

(viii) One individual selected from a list of not fewer than 3 individuals submitted by a police association not otherwise represented on the commission representing law enforcement officers employed by a law enforcement agency employing more than 10% of the police officers in this state.

(ix) One individual selected from a list of not less than 3 individuals nominated by the police officers labor council of Michigan.

(x) One individual selected from a list of not less than 3 individuals nominated by the Michigan association of police.

(xi) The governor may appoint any individual meeting the membership requirements of the organizations listed in subparagraphs (i) to (x) if the organization permitted to submit a list of individuals fails to submit a complete list of qualified nominees at least 30 days before a vacancy created by the expiration of a term, or not less than 30 days after the effective date of any other vacancy.

(e) An individual selected under subdivision (d) shall serve as a commission member only while serving as a member of the organization that submitted his or her name to the governor for appointment.

(f) Members of the commission appointed or reappointed under subdivision (d)(i) to (d)(x) shall be appointed for a term of 4 years.

(g) Appointments under subdivision (d) scheduled to expire on November 1, 2014 are extended through December 31, 2014.

(h) The expiration dates of appointments under subdivision (d) shall be December 31 of the calendar year in which they expire.

(3) A vacancy on the commission occurring other than by expiration of a term shall be filled by the governor in the same manner as the original appointment for the balance of the unexpired term.

#### **Section 4**

(Repealed.)

#### **Section 5**

(1) The commission shall elect from among its members a chairperson and a vice-chairperson who shall serve for 1-year terms and who may be reelected.

(2) Membership on the commission does not constitute holding a public office, and members of the commission are not required to take and file oaths of office before serving on the commission.

(3) A member of the commission is not disqualified from holding any public office or employment by reason of his or her appointment or membership on the commission and shall not forfeit any public office or employment because of his or her appointment to the commission, notwithstanding any general, special, or local law, ordinance, or city charter.

#### **Section 6**

(1) The commission shall meet not less than 4 times in each year and shall hold special meetings when called by the chairperson or, in the absence of the chairperson, by the vice-chairperson. A special meeting of the commission shall be called by the chairperson upon the written request of 5 members of the commission.

(2) The commission shall establish its own procedures and requirements with respect to quorum, place and conduct of its meetings, and other matters.

(3) The commission may establish other procedures and requirements governing its operations to carry out the intent of this act.

(4) The commission's business shall be conducted in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. Public notice of the time, date, and place of the meeting shall be given in the manner required by the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. Notwithstanding any other provision of law, action may be taken by the commission at a meeting upon a vote of the majority of its members present in person or through the use of amplified telephonic equipment, if authorized by the bylaws of the commission.

#### **Section 7**

The commission shall make an annual report to the governor that includes pertinent data regarding licensing standards and the degree of participation of municipalities in the training programs, as well as any other information the governor requests or the commission considers appropriate.

## **Section 8**

The members of the commission shall serve without compensation. The members of the commission are entitled to their actual expenses in attending meetings and in the performance of their official duties.

## **Section 9**

(1) This section applies to all law enforcement officers except persons to whom sections 9a, 9b, and 9c apply. Employment of law enforcement officers to whom this section applies is subject to the licensing requirements and procedures of this section.

(2) The commission shall promulgate rules governing licensing standards and procedures for persons licensed under this section. In promulgating the rules, the commission shall give consideration to the varying factors and special requirements of law enforcement agencies. The rules shall pertain to the following:

(a) Training requirements that may be met by completing either of the following:

(i) Pre-enrollment requirements, courses of study, attendance requirements, and instructional hours at an agency basic law enforcement training academy, a preservice college basic law enforcement training academy, or a regional basic law enforcement training academy.

(ii) The recognition of prior basic law enforcement training and experience program for granting a waiver from the licensing standard specified in subparagraph (a).

(b) Proficiency on a licensing examination administered after compliance with the licensing standard specified in subparagraph (a).

(c) Physical ability.

(d) Psychological fitness.

(e) Education.

(f) Reading and writing proficiency.

(g) Minimum age.

(h) Valid operator's or chauffer's license.

(i) Character fitness, as determined by a background investigation supported by a written authorization and release executed by the person for whom licensure is sought.

(j) United States citizenship.

(k) Employment as a law enforcement officer.

(l) Execution of a written oath of office by a law enforcement agency with whom the person is employed, conferring authority to act with all of the law enforcement authority described in the laws of this state under which the person is employed.

(3) Licensure under this section shall comply with the following procedures:

(a) Before executing the oath of office, an employing law enforcement agency shall verify that the person to whom the oath is to be administered complies with the licensing standards.

(b) A law enforcement agency employing a person licensed under this section shall authorize the person to exercise the law enforcement authority described in the laws of this state under which the person is employed, by executing a written oath of office.

(c) Within ten calendar days after executing the oath of office, the employing law enforcement agency shall attest in writing to the commission that the person to whom the oath was administered complies with the licensing standards, by submitting an executed affidavit and a copy of the executed oath of office.

(d) If, upon reviewing the executed affidavit and executed oath of office, the commission determines that the person complies with the licensing standards, the commission shall grant the person a license.

(e) If, upon reviewing the executed affidavit and executed oath of office, the commission determines that the person does not comply with the licensing standards, the commission may do any of the following:

(i) Supervise the remediation of errors or omissions in the affidavit and oath of office.

(ii) Supervise the remediation of errors or omissions in the screening, procedures, examinations, testing, and other means used to verify compliance with the licensing standards.

(iii) Supervise additional screening, procedures, examinations, testing, and other means used to determine compliance with the licensing standards.

(iv) Deny the issuance of a license and inform the employing law enforcement agency.

(f) Upon being informed that the commission has denied issuance of a license, the employing law enforcement agency shall promptly inform the person denied.

(4) A person denied a license under this section may not exercise the law enforcement authority described in the laws of this state under which the person is employed. This subsection does not divest the person of that authority until the person has been informed of the denial.

(5) A law enforcement agency that has administered an oath of office to a person under this section shall, with respect to that person:

(a) Report to the commission all personnel transactions affecting employment status, in a manner prescribed in rules promulgated by the commission.

(b) Report to the commission action taken by the employing agency that removes the authority conferred by the oath of office, and restoration of the person's authority to that conferred by the oath of office, in a manner prescribed in rules promulgated by the commission.

(c) Maintain an employment history record.

(d) Collect, verify, and maintain documentation establishing that the person complies with the licensing standards.

(6) A person licensed under this section shall:

(a) Report to the commission criminal charges for offenses for which that person's license may be revoked as described in this section, upon being informed of such charges, in a manner prescribed in rules promulgated by the commission.

(b) Report to the commission imposition of a personal protection order against that person after a judicial hearing under section 2950 or 2950a of the revised judicature act of 1961, 1961 PA 236, MCL 600.2950 and 600.2950a, or under the laws of any other jurisdiction, upon being informed of the imposition of such an order, in a manner prescribed in rules promulgated by the commission.

(7) A license issued under this section is rendered inactive, and may be reactivated, as follows:

(a) A license is rendered inactive if:

(i) A person, having been employed as a law enforcement officer in aggregate for less than 2080 hours, is thereafter continuously not employed as a law enforcement officer for less than 1 year.

(ii) A person, having been employed as a law enforcement officer in aggregate for less than 2080 hours, is thereafter continuously subjected to a removal of the authority conferred by the oath of office for less than 1 year.

(iii) A person, having been employed as a law enforcement officer in aggregate for 2080 hours or longer, is thereafter continuously not employed as a law enforcement officer for less than 2 years.

(iv) A person, having been employed as a law enforcement officer in aggregate for 2080 hours or longer, is continuously subjected to a removal of the authority conferred by the oath of office for less than 2 years.

(b) An employing law enforcement agency may reactivate a license rendered inactive, by complying with the licensure procedures described in subsection (3), excluding verification of and attestation to compliance with the licensing standards described in subsections (2)(a) to (g).

(c) A license that has been reactivated under this section is valid for all purposes described in this act.

(8) A license issued under this section is rendered lapsed, without barring further licensure under this act, as follows:

(a) A person, having been employed as a law enforcement officer in aggregate for less than 2080 hours, is thereafter continuously not employed as a law enforcement officer for 1 year.

(b) A person, having been employed as a law enforcement officer in aggregate for less than 2080 hours, is thereafter continuously subjected to a removal of the authority conferred by the oath of office for 1 year.

(c) A person, having been employed as a law enforcement officer in aggregate for 2080 hours or longer, is thereafter continuously not employed as a law enforcement officer for 2 years.

(d) A person, having been employed as a law enforcement officer in aggregate for 2080 hours or longer, is continuously subjected to a removal of the authority conferred by the oath of office for 2 years.

(9) The commission shall revoke a license granted under this section for any of the following, and shall promulgate rules governing these revocations:

(a) The person obtained the license by making a materially false oral or written statement or committing fraud in an affidavit, disclosure, or application to a law enforcement training academy, the commission, or a law enforcement agency at any stage of recruitment, selection, appointment, enrollment, training, or licensure application.

(b) The person obtained the license because another person made a materially false oral or written statement or committed fraud in an affidavit, disclosure, or application to a law enforcement training academy, the commission, or a law enforcement agency at any stage of recruitment, selection, appointment, enrollment, training, or licensure application.

(c) The person has been subjected to an adjudication of guilt for any violation or attempted violation of a penal law of this state or another jurisdiction that is punishable by imprisonment for more than 1 year.

(d) The person has been subjected to an adjudication of guilt for violation or attempted violation of any of the following penal laws of this state, or laws of another jurisdiction substantially corresponding to them:

(i) MCL 750.81(3).

(ii) MCL 750.81a(1).

(iii) MCL 750.81a(2).

(iv) MCL 750.411h(2)(a).

(v) MCL 333.7403(2)(c).

(vi) MCL 333.7404(2)(a).

(vii) MCL 333.7404(2)(b).

(viii) MCL 333.7404(2)(c).

(ix) MCL 257.625(9)(b).

(10) The following procedures and requirements apply to license revocation under this section:

(a) The commission shall initiate license revocation proceedings, including but not limited to issuance of an order of summary suspension and notice of intent to revoke, upon obtaining notice of facts warranting license revocation.

(b) A hearing for license revocation shall be conducted as a contested case under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

(c) In lieu of participating in a contested case, a person may voluntarily and permanently relinquish his or her law enforcement officer license by executing before a notary public an affidavit of license relinquishment prescribed by the commission.

(d) The commission need not delay or abate license revocation proceedings based on an adjudication of guilt if an appeal is taken from the adjudication of guilt.

(e) If the commission issues a final decision or order to revoke a license, that decision or order is subject to judicial review as provided in the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328. A summary suspension described in this section is not a final decision or order for purposes of judicial review.

(11) A person licensed under this section may not exercise the law enforcement authority described in the laws of this state under which the person is employed if any of the following occur:

- (a) The person's license is rendered void by a court order or other operation of law.
- (b) The person's license is revoked.
- (c) The person's license is rendered inactive.
- (d) The person's license is rendered lapsed.

### **Section 9a**

(1) This section applies only to persons elected or appointed to the office of sheriff in this state. Employment of law enforcement officers to whom this section applies is subject to the licensing requirements and procedures of this section.

(2) Licensure under this section shall comply with the following procedures:

(a) Within ten calendar days after taking an oath of office for the office of sheriff in this state, a person shall submit to the commission a copy of the executed oath of office.

(b) If, upon reviewing the executed oath of office, the commission determines that the person has been elected or appointed to the office of sheriff in this state, the commission shall grant the person a license.

(c) If, upon reviewing the executed oath of office, the commission determines that the person has not been elected or appointed to the office of sheriff in this state, the commission may do either of the following:

(i) Verify, through other means, election or appointment to the office of sheriff in this state.

(ii) Deny the issuance of a license and inform the person denied.

(3) A person licensed under this section shall:

(a) Report to the commission criminal charges for offenses for which that person's license may be revoked as described in this section, upon being informed of such charges, in a manner prescribed in rules promulgated by the commission.

(b) Report to the commission imposition of a personal protection order against that person after a judicial hearing under section 2950 or 2950a of the revised judicature act of 1961, 1961 PA 236, MCL 600.2950 and 600.2950a, or under the laws of any other jurisdiction, upon being informed of the imposition of such an order, in a manner prescribed in rules promulgated by the commission.

(4) A license granted under this section is valid until any of the following occur:

- (a) A court order or other operation of law renders the license void.
- (b) The person's term of office as a sheriff in this state expires.
- (c) The commission revokes the license as provided in this section.

(5) The commission shall revoke a license granted under this section for any of the following, and shall promulgate rules governing these revocations:

(a) The person obtained the license by making a materially false oral or written statement or committing fraud in an affidavit, disclosure, or application to a law enforcement training academy, the commission, or a law enforcement agency at any stage of recruitment, selection, appointment, enrollment, training, or licensure application.

(b) The person obtained the license because another person made a materially false oral or written statement or committed fraud in an affidavit, disclosure, or application to a law enforcement training academy, the commission, or a law enforcement agency at any stage of recruitment, selection, appointment, enrollment, training, or licensure application.

(c) The person has been subjected to an adjudication of guilt for any violation or attempted violation of a penal law of this state or another jurisdiction that is punishable by imprisonment for more than 1 year.

(d) The person has been subjected to an adjudication of guilt for violation or attempted violation of any of the following penal laws of this state, or laws of another jurisdiction substantially corresponding to them:

(i) MCL 750.81(3).

(ii) MCL 750.81a(1).

(iii) MCL 750.81a(2).

(iv) MCL 750.411h(2)(a).

(v) MCL 333.7403(2)(c).

(vi) MCL 333.7404(2)(a).

(vii) MCL 333.7404(2)(b).

(viii) MCL 333.7404(2)(c).

(ix) MCL 257.625(9)(b).

(6) The following procedures and requirements apply to license revocation under this section:

(a) The commission shall initiate license revocation proceedings, including but not limited to issuance of an order of summary suspension and notice of intent to revoke, upon obtaining notice of facts warranting license revocation.

(b) A hearing for license revocation shall be conducted as a contested case under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

(c) In lieu of participating in a contested case, a person may voluntarily and permanently relinquish his or her law enforcement officer license by executing before a notary public an affidavit of license relinquishment prescribed by the commission.

(d) The commission need not delay or abate license revocation proceedings based on an adjudication of guilt if an appeal is taken from the adjudication of guilt.

(e) If the commission issues a final decision or order to revoke a license, that decision or order is subject to judicial review as provided in the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328. A summary suspension described in this section is not a final decision or order for purposes of judicial review.

## **Section 9b**

(1) This section applies only to persons who are employed as Michigan tribal law enforcement officers in this state and are subject to a written instrument authorizing them to enforce the laws of this state. Conferring authority to enforce the laws of this state to law enforcement officers to whom this section applies is subject to the licensing requirements and procedures of this section.

(2) The commission shall promulgate rules governing licensing standards and procedures, pertaining to the following:

- (a) Training requirements that may be met by completing either of the following:
    - (i) Pre-enrollment requirements, courses of study, attendance requirements, and instructional hours at an agency basic law enforcement training academy, a preservice college basic law enforcement training academy, or a regional basic law enforcement training academy.
    - (ii) The recognition of prior basic law enforcement training and experience program for granting a waiver from the licensing standard specified in subparagraph (a).
  - (b) Proficiency on a licensing examination administered after compliance with the licensing standard specified in subparagraph (a).
  - (c) Physical ability.
  - (d) Psychological fitness.
  - (e) Education.
  - (f) Reading and writing proficiency.
  - (g) Minimum age.
  - (h) Valid operator's or chauffer's license.
  - (i) Character fitness, as determined by a background investigation supported by a written authorization and release executed by the person for whom licensure is sought.
  - (j) United States citizenship.
  - (k) Employment as a Michigan tribal law enforcement officer.
  - (l) Execution of a written instrument conferring authority upon the person to enforce the laws of this state, consisting of any of the following:
    - (i) Deputation by a sheriff of this state, conferring authority upon the person to enforce the laws of this state.
    - (ii) Appointment as a law enforcement officer by a law enforcement agency, conferring authority upon the person to enforce the laws of this state.
    - (iii) Execution of a written agreement between the Michigan tribal law enforcement agency with whom the person is employed and a law enforcement agency, conferring authority upon the person to enforce the laws of this state.
    - (iv) Execution of a written agreement, between this state or a subdivision of this state, and the United States, conferring authority upon the person to enforce the laws of this state.
- (3) Licensure under this section shall comply with the following procedures:
- (a) A law enforcement agency or other governmental agency conferring authority upon a Michigan tribal law enforcement officer as provided in this section shall confer the authority to enforce the laws of this state by executing a written instrument as provided in this section.
  - (b) Before executing the written instrument, a law enforcement agency or other governmental agency shall verify that the person complies with the licensing standards.
  - (c) Within ten calendar days after the effective date of the written instrument, the law enforcement agency or other governmental agency executing the written instrument shall attest in writing to the commission that the person to whom the authority was conferred complies with the licensing standards, by submitting an executed affidavit and a copy of the written instrument.
  - (d) If, upon reviewing the executed affidavit and the written instrument, the commission determines that the person complies with the licensing standards, the commission shall grant the person a license.
  - (e) If, upon reviewing the executed affidavit and the written instrument, the commission determines that the person does not comply with the licensing standards, the commission may do any of the following:
    - (i) Supervise the remediation of errors or omissions in the affidavit and oath of office.
    - (ii) Supervise the remediation of errors or omissions in the screening, procedures, examinations, testing, and other means used to verify compliance with the licensing standards.
    - (iii) Supervise additional screening, procedures, examinations, testing, and other means used to determine compliance with the licensing standards.

(iv) Deny the issuance of a license and inform the law enforcement agency or other governmental agency conferring authority to enforce the laws of this state upon a person to whom this section applies.

(f) Upon being informed that the commission has denied issuance of a license, a law enforcement agency or other governmental agency conferring authority to enforce the laws of this state upon a person to whom this section applies shall promptly inform the person denied.

(4) A person denied a license under this section may not exercise the law enforcement authority described in a written instrument conferring authority upon the person to enforce the laws of this state. This subsection does not divest the person of that authority until the person has been informed of the denial.

(5) A written instrument conferring authority to enforce the laws of this state upon a person to whom this section applies shall include the following:

(a) A requirement that the employing Michigan tribal law enforcement agency report to the commission all personnel transactions affecting employment status, in a manner prescribed in rules promulgated by the commission.

(b) A requirement that the employing Michigan tribal law enforcement agency report to the commission action it takes that removes the authority conferred by the written instrument conferring authority upon the person to enforce the laws of this state, and restoration of the person's authority to that conferred by the written instrument, in a manner prescribed in rules promulgated by the commission.

(c) A requirement that the employing Michigan tribal law enforcement agency maintain an employment history record.

(d) A requirement that the employing Michigan tribal law enforcement agency collect, verify, and maintain documentation establishing that the person complies with the applicable licensing standards.

(6) A written instrument conferring authority to enforce the laws of this state upon a person to whom this section applies shall include the following:

(a) A requirement that the employing Michigan tribal law enforcement agency report to the commission criminal charges for offenses for which that person's license may be revoked as described in this section, upon being informed of such charges, in a manner prescribed in rules promulgated by the commission.

(b) A requirement that the employing Michigan tribal law enforcement agency report to the commission imposition of a personal protection order against that person after a judicial hearing under section 2950 or 2950a of the revised judicature act of 1961, 1961 PA 236, MCL 600.2950 and 600.2950a, or under the laws of any other jurisdiction, upon being informed of the imposition of such an order, in a manner prescribed in rules promulgated by the commission.

(7) A license issued under this section is rendered inactive, and may be reactivated, as follows:

(a) A license is rendered inactive if:

(i) A person, having been employed as a law enforcement officer in aggregate for less than 2080 hours, is thereafter continuously not employed as a law enforcement officer for less than 1 year.

(ii) A person, having been employed as a law enforcement officer in aggregate for less than 2080 hours, is thereafter continuously subjected to a removal of the authority conferred by the written instrument authorizing the person to enforce the laws of this state for less than 1 year.

(iii) A person, having been employed as a law enforcement officer in aggregate for 2080 hours or longer, is thereafter continuously not employed as a law enforcement officer for less than 2 years.

(iv) A person, having been employed as a law enforcement officer in aggregate for 2080 hours or longer, is continuously subjected to a removal of the authority conferred by the written instrument authorizing the person to enforce the laws of this state for less than 2 years.

(b) A law enforcement agency or other governmental agency conferring authority to enforce the laws of this state upon a person to whom this section applies may reactivate a license rendered inactive, by complying with the licensure procedures described in subsection (3), excluding verification of and attestation to compliance with the licensing standards described in subsections (2)(a) to (g).

(c) A license that has been reactivated under this section is valid for all purposes described in this act.

(8) A license issued under this section is rendered lapsed, without barring further licensure under this act, as follows:

(a) A person, having been employed as a law enforcement officer in aggregate for less than 2080 hours, is thereafter continuously not employed as a law enforcement officer for 1 year.

(b) A person, having been employed as a law enforcement officer in aggregate for less than 2080 hours, is thereafter continuously subjected to a removal of the authority conferred by the written instrument authorizing the person to enforce the laws of this state for 1 year.

(c) A person, having been employed as a law enforcement officer in aggregate for 2080 hours or longer, is thereafter continuously not employed as a law enforcement officer for 2 years.

(d) A person, having been employed as a law enforcement officer in aggregate for 2080 hours or longer, is continuously subjected to a removal of the authority conferred by the written instrument authorizing the person to enforce the laws of this state for 2 years.

(9) The commission shall revoke a license granted under this section for any of the following, and shall promulgate rules governing these revocations:

(a) The person obtained the license by making a materially false oral or written statement or committing fraud in an affidavit, disclosure, or application to a law enforcement training academy, the commission, or a law enforcement agency at any stage of recruitment, selection, appointment, enrollment, training, or licensure application.

(b) The person obtained the license because another person made a materially false oral or written statement or committed fraud in an affidavit, disclosure, or application to a law enforcement training academy, the commission, or a law enforcement agency at any stage of recruitment, selection, appointment, enrollment, training, or licensure application.

(c) The person has been subjected to an adjudication of guilt for any violation or attempted violation of a penal law of this state or another jurisdiction that is punishable by imprisonment for more than 1 year.

(d) The person has been subjected to an adjudication of guilt for violation or attempted violation of any of the following penal laws of this state, or laws of another jurisdiction substantially corresponding to them:

(i) MCL 750.81(3).

(ii) MCL 750.81a(1).

(iii) MCL 750.81a(2).

(iv) MCL 750.411h(2)(a).

(v) MCL 333.7403(2)(c).

(vi) MCL 333.7404(2)(a).

(vii) MCL 333.7404(2)(b).

(viii) MCL 333.7404(2)(c).

(ix) MCL 257.625(9)(b).

(10) The following procedures and requirements apply to license revocation under this section:

(a) The commission shall initiate license revocation proceedings, including but not limited to issuance of an order of summary suspension and notice of intent to revoke, upon obtaining notice of facts warranting license revocation.

(b) A hearing for license revocation shall be conducted as a contested case under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

(c) In lieu of participating in a contested case, a person may voluntarily and permanently relinquish his or her law enforcement officer license by executing before a notary public an affidavit of license relinquishment prescribed by the commission.

(d) The commission need not delay or abate license revocation proceedings based on an adjudication of guilt if an appeal is taken from the adjudication of guilt.

(e) If the commission issues a final decision or order to revoke a license, that decision or order is subject to judicial review as provided in the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328. A summary suspension described in this section is not a final decision or order for purposes of judicial review.

(11) A person licensed under this section may not exercise the law enforcement authority described in a written instrument conferring authority upon the person to enforce the laws of this state if any of the following occur:

- (a) The person's license is rendered void by a court order or other operation of law.
- (b) The person's license is revoked.
- (c) The person's license is rendered inactive.
- (d) The person's license is rendered lapsed.

### **Section 9c**

(1) This section applies only to persons who are employed as fire arson investigators from fire departments within villages, cities, townships, or counties in this state, who are sworn and fully empowered by the chiefs of police of those villages, cities, townships, or counties. Conferring authority to enforce the laws of this state to law enforcement officers to whom this section applies is subject to the licensing requirements and procedures of this section.

(2) The commission shall promulgate rules governing licensing standards and procedures, pertaining to the following:

(a) Training requirements that may be met by completing either of the following:

(i) Pre-enrollment requirements, courses of study, attendance requirements, and instructional hours at an agency basic law enforcement training academy, a preservice college basic law enforcement training academy, or a regional basic law enforcement training academy.

(ii) The recognition of prior basic law enforcement training and experience program for granting a waiver from the licensing standard specified in subparagraph (a).

(b) Proficiency on a licensing examination administered after compliance with the licensing standard specified in subparagraph (a).

(c) Physical ability.

(d) Psychological fitness.

(e) Education.

(f) Reading and writing proficiency.

(g) Minimum age.

(h) Valid operator's or chauffer's license.

(i) Character fitness, as determined by a background investigation supported by a written authorization and release executed by the person for whom licensure is sought.

(j) United States citizenship.

(k) Employment as a fire arson investigator from a fire department within a village, city, township, or county in this state, who is sworn and fully empowered by the chief of police of that village, city, township, or county.

(l) Execution of a written oath of office by the chief of police of a village, city, township, or county law enforcement agency, conferring authority to enforce the laws of this state.

(3) Licensure under this section shall comply with the following procedures:

(a) Before executing the oath of office, the chief of police shall verify that the person to whom the oath is to be administered complies with the licensing standards.

(b) The chief of police shall execute an oath of office to authorize the person to enforce the laws of this state.

(c) Within ten calendar days after executing the oath of office, the chief of police shall attest in writing to the commission that the person to whom the oath was administered complies with the licensing standards, by submitting an executed affidavit and a copy of the executed oath of office.

(d) If, upon reviewing the executed affidavit and executed oath of office, the commission determines that the person complies with the licensing standards, the commission shall grant the person a license.

(e) If, upon reviewing the executed affidavit and executed oath of office, the commission determines that the person does not comply with the licensing standards, the commission may do any of the following:

(i) Supervise the remediation of errors or omissions in the affidavit and oath of office.

(ii) Supervise the remediation of errors or omissions in the screening, procedures, examinations, testing, and other means used to verify compliance with the licensing standards.

(iii) Supervise additional screening, procedures, examinations, testing, and other means used to determine compliance with the licensing standards.

(iv) Deny the issuance of a license and inform the chief of police.

(f) Upon being informed that the commission has denied issuance of a license, the chief of police shall promptly inform the person denied.

(4) A person denied a license under this section may not exercise the law enforcement authority described in the oath of office. This subsection does not divest the person of that authority until the person has been informed of the denial.

(5) A chief of police that has administered an oath of office to a person under this section shall, with respect to that person:

(a) Report to the commission all personnel transactions affecting employment status, in a manner prescribed in rules promulgated by the commission.

(b) Report to the commission action taken by the chief of police that removes the authority conferred by the oath of office, and restoration of the person's authority to that conferred by the oath of office, in a manner prescribed in rules promulgated by the commission.

(c) Maintain an employment history record.

(d) Collect, verify, and maintain documentation establishing that the person complies with the applicable licensing standards.

(6) A person licensed under this section shall:

(a) Report to the commission criminal charges for offenses for which that person's license may be revoked as described in this section, upon being informed of such charges, in a manner prescribed in rules promulgated by the commission.

(b) Report to the commission imposition of a personal protection order against that person after a judicial hearing under section 2950 or 2950a of the revised judicature act of 1961, 1961 PA 236, MCL 600.2950 and 600.2950a, or under the laws of any other jurisdiction, upon being informed of the imposition of such an order, in a manner prescribed in rules promulgated by the commission.

(7) A license granted under this section is rendered lapsed, without barring further licensure under this act, as follows:

(a) The person is no longer employed as a fire arson investigator from a fire department within a village, city, township, or county in this state, who is sworn and fully empowered by the chief of police of that village, city, township, or county, rendering the license lapsed.

(b) The person is subjected to a removal of the authority conferred by the oath of office, rendering the license lapsed.

(8) The commission shall revoke a license granted under this section for any of the following, and shall promulgate rules governing these revocations:

(a) The person obtained the license by making a materially false oral or written statement or committing fraud in an affidavit, disclosure, or application to a law enforcement training academy, the commission, or a law enforcement agency at any stage of recruitment, selection, appointment, enrollment, training, or licensure application.

(b) The person obtained the license because another person made a materially false oral or written statement or committed fraud in an affidavit, disclosure, or application to a law enforcement training academy, the commission, or a law enforcement agency at any stage of recruitment, selection, appointment, enrollment, training, or licensure application.

(c) The person has been subjected to an adjudication of guilt for any violation or attempted violation of a penal law of this state or another jurisdiction that is punishable by imprisonment for more than 1 year.

(d) The person has been subjected to an adjudication of guilt for violation or attempted violation of any of the following penal laws of this state, or laws of another jurisdiction substantially corresponding to them:

(i) MCL 750.81(3).

(ii) MCL 750.81a(1).

(iii) MCL 750.81a(2).

(iv) MCL 750.411h(2)(a).

(v) MCL 333.7403(2)(c).

(vi) MCL 333.7404(2)(a).

(vii) MCL 333.7404(2)(b).

(viii) MCL 333.7404(2)(c).

(ix) MCL 257.625(9)(b).

(9) The following procedures and requirements apply to license revocation under this section:

(a) The commission shall initiate license revocation proceedings, including but not limited to issuance of an order of summary suspension and notice of intent to revoke, upon obtaining notice of facts warranting license revocation.

(b) A hearing for license revocation shall be conducted as a contested case under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

(c) In lieu of participating in a contested case, a person may voluntarily and permanently relinquish his or her law enforcement officer license by executing before a notary public an affidavit of license relinquishment prescribed by the commission.

(d) The commission need not delay or abate license revocation proceedings based on an adjudication of guilt if an appeal is taken from the adjudication of guilt.

(e) If the commission issues a final decision or order to revoke a license, that decision or order is subject to judicial review as provided in the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328. A summary suspension described in this section is not a final decision or order for purposes of judicial review.

(10) A person licensed under this section may not exercise the law enforcement authority described in the oath of office if any of the following occur:

(a) The person's license is rendered void by a court order or other operation of law.

(b) The person's license is revoked.

(c) The person's license is rendered lapsed.

## **Section 10**

(1) The commission may investigate alleged violations of this act or rules promulgated under this act.

(2) In conducting an investigation, the commission may hold hearings, administer oaths, issue subpoenas, and order testimony to be taken at a hearing or by deposition. A hearing held under this section shall be conducted in accordance with chapter 4 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.271 to 24.287. A final decision or order issued by the commission is subject to judicial review as provided by chapter 6 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.301 to 24.306. A petition for judicial review of a final decision or order of the commission shall be adjudicated only in the circuit court for Ingham county.

(3) The commission may issue a subpoena to do either of the following:

(a) Compel the attendance of a witness to testify at a hearing or deposition and give testimony.

(b) Produce, books, papers, documents, or other items.

(4) If a subpoena issued by the commission is not obeyed, the commission may petition the circuit court to require the attendance of a witness or the production of books, papers, documents, or other items. The circuit court may issue an order requiring a person to appear and give testimony or produce books, papers, documents, or other items. Failure to obey an order of the circuit court may be punished by the court as a contempt of court.

(5) The commission has standing to commence an action in the circuit court for Ingham county to compel compliance with this act or 1982 PA 302, MCL 18.421 to 18.428, or an administrative rule promulgated under this act or 1982 PA 302, MCL 18.421 to 18.428.

## **Section 11**

(1) The commission may do any of the following:

(a) Enter into agreements with colleges, universities, governmental agencies, and private entities to carry out the intent of this act.

(b) Issue certificates of approval to agency basic law enforcement training academies, preservice college basic law enforcement training academies, and regional basic law enforcement training academies

(c) Authorize issuance of certificates of graduation or diplomas by agency basic law enforcement training academies, preservice college basic law enforcement training academies, and regional basic law enforcement training academies to students who have satisfactorily completed minimum courses of study.

(d) Cooperate with state, federal, and local agencies to approve programs of in-service instruction and training of law enforcement officers of this state and of cities, counties, townships, and villages.

(e) Make recommendations to the legislature on matters pertaining to qualification and training of law enforcement officers.

(f) Require a licensing examination.

(g) Establish a recognition of prior basic law enforcement training and experience program.

(h) Establish and charge a fee to recover the cost of testing and training individuals who are not employed by a law enforcement agency, which shall be deposited in the secondary road patrol and training fund created in section 629e of the Michigan vehicle code, 1949 PA 300, MCL 257.629e.

(i) Establish and charge a fee to recover the cost of issuing licenses to persons licensed under this act, which shall be deposited in the secondary road patrol and training fund created in section 629e of the Michigan vehicle code, 1949 PA 300, MCL 257.629e.

(2) The commission may promulgate rules with respect to any of the following:

(a) In-service training programs and minimum courses of study and attendance requirements for licensed law enforcement officers.

(b) The establishment and approval of agency basic law enforcement training academies, preservice college basic law enforcement training academies, and regional basic law enforcement training academies.

(c) The minimum qualifications for instructors for approved agency basic law enforcement training academies, preservice college basic law enforcement training academies, and regional basic law enforcement training academies.

(d) The minimum facilities and equipment for agency basic law enforcement training academies, preservice college basic law enforcement training academies, and regional basic law enforcement training academies.

## **Section 12**

The commission shall appoint an executive director of the commission. The executive director shall be an employee of the commission and shall hold office at the pleasure of the commission. The executive director shall perform the functions and duties that are assigned to him or her by the commission. The executive director shall receive compensation and reimbursement for expenses from appropriations provided by the legislature.

## **Section 13**

(1) The commission may use money from the secondary road patrol and training fund, created in section 629e of the Michigan vehicle code, 1949 PA 300, MCL 257.629e, for either of the following:

(a) The reasonable expenses of performing statutory functions authorized in this act.

(b) Reimbursement to law enforcement agencies for reasonable costs incurred in providing education to their employees who are enrolled in law enforcement training academies for the purpose of being employed by the agencies as law enforcement officers licensed under this act.

(2) A law enforcement agency seeking reimbursement from the Secondary Road Patrol Fund as described in this section shall apply using procedures and forms established by the commission.

## **Section 14**

(1) A person or organization to whom an inquiry is made concerning a person's compliance with the licensing standards established in this act shall respond to the inquiry within 45 calendar days.

(2) A person or organization responding to an inquiry concerning a person's compliance with the licensing standards established in this act may charge the inquiring party reasonable fees to cover actual costs for producing information, documents, and other items requested.

**Section 15**

(Repealed.)

**Section 16**

(Repealed.)

Adopted by the Michigan Commission on Law Enforcement Standards on February 19, 2014.

A handwritten signature in blue ink, appearing to read "Tom Cameron", written over a horizontal line.

Thomas C. Cameron, Chair