

**SENATE SUBSTITUTE FOR
HOUSE BILL NO. 5055**

A bill to amend 2001 PA 185, entitled
"Legislative sergeant at arms police powers act,"
by amending section 2 (MCL 4.382), as amended by 2016 PA 303.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. (1) Each house of the legislature may commission the
2 sergeant at arms and may commission 1 or more assistant sergeants
3 at arms within that respective house as police officers, to enforce
4 rules adopted by that house and the laws of this state as
5 designated by the senate and the house of representatives,
6 respectively. In performing those enforcement activities,
7 commissioned sergeants at arms and assistant sergeants at arms are
8 vested with the powers, privileges, prerogatives, and immunities
9 conferred ~~upon~~**on** police officers under the laws of this state.

1 (2) Each sergeant at arms and assistant sergeant at arms
2 commissioned by the senate or the house of representatives as a
3 police officer under subsection (1) has the power to enforce rules
4 adopted by that house and the laws of this state in the following
5 places:

6 (a) The capitol building and capitol grounds.

7 (b) Buildings in which the offices of legislative members or
8 staff are located.

9 (c) Locations where either house of the legislature or a
10 committee or subcommittee of either house is holding a session,
11 meeting, or public hearing, including a reasonable time before and
12 after the session, meeting, or hearing.

13 (d) Legislative parking areas.

14 (e) Areas immediately adjacent to the places described in
15 subdivisions (a) to (d).

16 **(f) Subject to subsection (4), in other locations in this**
17 **state only as necessary to do 1 or more of the following:**

18 **(i) Provide security for a legislative member, a family member**
19 **of the legislative member, or staff of the legislative member, if**
20 **the need for security is related to threats directed toward or**
21 **crimes committed against the legislative member in the course of**
22 **the legislative member's official duties.**

23 **(ii) Provide security at an event attended by a legislative**
24 **member in the course of the legislative member's official duties.**

25 **(iii) Subject to subsection (5), investigate threats toward or**
26 **crimes committed against a legislative member.**

27 (3) A sergeant at arms or assistant sergeant at arms
28 commissioned as a police officer under this act shall exercise his
29 or her authority as a police officer at the locations specified in

1 subsection (2)(c) **and (f)** only while actually engaging in his or
2 her duties as the sergeant at arms or an assistant sergeant at arms
3 under the rules adopted by the senate or the house of
4 representatives respectively.

5 **(4) Subsection (2)(f) only applies if the senate majority**
6 **leader or the speaker of the house of representatives, as**
7 **applicable, approves a request submitted by a legislative member**
8 **requesting security or investigation from a sergeant at arms or**
9 **assistant sergeant at arms.**

10 **(5) If investigating a threat or crime as provided under**
11 **subsection (2)(f)(iii), a sergeant at arms or assistant sergeant at**
12 **arms shall coordinate with other state or local law enforcement**
13 **agencies, as practicable.**

14 **(6) ~~(4)~~ The Subject to subsection (4), the** senate may
15 delegate, pursuant to rules of the senate, the authority to
16 commission the sergeant at arms or assistant sergeants at arms as
17 police officers and delegate their responsibilities under
18 subsection (1) to the senate majority leader, the secretary of the
19 senate, or other officers or employees of the senate.

20 **(7) ~~(5)~~ The Subject to subsection (4), the** house of
21 representatives may delegate, pursuant to rules of the house of
22 representatives, the authority to commission the sergeant at arms
23 or assistant sergeants at arms as police officers and delegate
24 their responsibilities under subsection (1) to the speaker of the
25 house of representatives, the clerk of the house of
26 representatives, or other officers or employees of the house of
27 representatives.

28 **(8) ~~(6)~~ The office of sergeant at arms of each house of the**
29 **legislature is a law enforcement agency of this state.**

1 **(9)** ~~(7)~~ A sergeant at arms or an assistant sergeant at arms
2 commissioned as a police officer under this act is subject to the
3 training and licensure ~~or certification~~ requirements under the
4 Michigan commission on law enforcement standards act, 1965 PA 203,
5 MCL 28.601 to 28.615.

6 **(10)** ~~(8)~~ Not less than once per legislative session, the
7 individual designated to supervise the sergeants at arms under
8 house rules and the individual designated to supervise the
9 sergeants at arms under senate rules, or their designees, shall
10 report to the standing committees of the house of representatives
11 and senate concerned with government operations and oversight
12 respectively on the activities of the sergeants at arms and other
13 matters of interest involving the security and decorum in their
14 respective houses.