

SENATE BILL No. 867

March 24, 2016, Introduced by Senators SCHUITMAKER and JONES and referred to the Committee on Judiciary.

A bill to amend 1996 PA 195, entitled
"Police officer's and fire fighter's survivor tuition grant act,"
by amending section 2 (MCL 390.1242), as amended by 2012 PA 470.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. As used in this act:

2 (a) "Academic year" means the period from September 1 of a
3 calendar year to August 31 of the next calendar year.

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

8 (c) "Department" means the department of treasury.

1 (d) "Eligible student" means a child or surviving spouse of a
2 Michigan police officer or Michigan fire fighter who was or is
3 killed in the line of duty.

4 (e) "Eligible tuition" means the tuition charged by a state
5 institution of higher education for an undergraduate class.

6 (f) "Killed" means that the Michigan police officer's or
7 Michigan fire fighter's death is the direct and proximate result of
8 a traumatic injury incurred in the line of duty.

9 (g) "Line of duty" means an action that a Michigan police
10 officer or Michigan fire fighter is obligated or authorized to
11 perform by rule, regulation, condition of employment or service, or
12 law, including, but not limited to, a social, ceremonial, or
13 athletic function that the Michigan police officer or Michigan fire
14 fighter is assigned to or compensated for by the public agency he
15 or she serves.

16 (h) "Michigan police officer" means a sheriff or sheriff's
17 deputy of a sheriff's department in this state; village or township
18 marshal of a village or township in this state; officer of the
19 police department of any city, village, or township in this state;
20 officer of the Michigan state police; or any other police officer
21 or law enforcement officer trained and **LICENSED OR** certified under
22 the **MICHIGAN** commission on law enforcement standards act, 1965 PA
23 203, MCL 28.601 to ~~28.616~~-**28.615**.

24 (i) "Michigan fire fighter" means a member including volunteer
25 members and members paid on call of a fire department, or other
26 organization that provides fire suppression and other fire-related
27 services, of a city, township, village, or county who is

1 responsible for or is in a capacity that includes responsibility
2 for the extinguishment of fires. Michigan fire fighter does not
3 include a person whose job description, duties, or responsibilities
4 do not include direct involvement in fire suppression.

5 (j) "Occupational disease" means a disease that routinely
6 constitutes a special hazard in, or is commonly regarded as
7 concomitant of, the Michigan police officer's or Michigan fire
8 fighter's occupation.

9 (k) "State institution of higher education" means a public
10 community or junior college established under section 7 of article
11 VIII of the state constitution of 1963 or part 25 of the revised
12 school code, 1976 PA 451, MCL 380.1601 to 380.1607, or a state
13 university described in section 4, 5, or 6 of article VIII of the
14 state constitution of 1963.

15 (l) "Survivor's tuition grant" means a tuition grant awarded
16 to an eligible student under this act.

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

24 (n) "Undergraduate class" means a class or course that
25 provides a student with academic credit applicable toward a
26 bachelor or associate degree from a state institution of higher
27 education.

1 Enacting section 1. This amendatory act takes effect 90 days
2 after the date it is enacted into law.

3 Enacting section 2. This amendatory act does not take effect
4 unless Senate Bill No. 92 or House Bill No.____ (request no.
5 00913'15 *) of the 98th Legislature is enacted into law.