

SUBSTITUTE FOR  
HOUSE BILL NO. 5851

A bill to amend 1976 PA 451, entitled  
"The revised school code,"  
(MCL 380.1 to 380.1852) by adding section 1308a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1        SEC. 1308A. (1) AT LEAST ANNUALLY, A SCHOOL DISTRICT,  
2 INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY SHALL  
3 PROVIDE A REPORT TO THE DEPARTMENT OF STATE POLICE, IN A FORM AND  
4 MANNER PRESCRIBED BY THE DEPARTMENT OF STATE POLICE, ON BOTH OF THE  
5 FOLLOWING TYPES OF INCIDENTS REGARDING A SCHOOL OPERATED BY THE  
6 SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL  
7 ACADEMY:

8        (A) AN ATTEMPTED ACT OF VIOLENCE ON SCHOOL GROUNDS THAT WAS  
9 PREVENTED OR THWARTED.

10       (B) A THREAT OF VIOLENCE MADE ON OR OFF SCHOOL GROUNDS THAT

1 WAS DIRECTED AT A SCHOOL, SCHOOL STAFF, OR PUPILS AND THE VIOLENCE  
2 WAS PREVENTED OR THWARTED.

3 (2) A REPORT UNDER SUBSECTION (1) MUST MEET BOTH OF THE  
4 FOLLOWING:

5 (A) INCLUDE A DESCRIPTION OF THE INCIDENT AND HOW THE INCIDENT  
6 WAS THWARTED OR PREVENTED.

7 (B) EXCLUDE THE NAME OF THE SCHOOL AFFECTED BY THE INCIDENT,  
8 THE NAME OF ANY INDIVIDUAL INVOLVED IN THE INCIDENT, AND ANY OTHER  
9 INFORMATION THAT WOULD IDENTIFY THE SCHOOL AFFECTED OR INDIVIDUAL  
10 OR INDIVIDUALS INVOLVED IN THE INCIDENT.

11 (3) AT LEAST ANNUALLY, THE DEPARTMENT OF STATE POLICE SHALL  
12 COMPILE A REPORT ON THE INFORMATION REPORTED UNDER SUBSECTION (1)  
13 AND PROVIDE THE REPORT TO THE SCHOOL SAFETY COMMISSION CREATED  
14 UNDER SECTION 5 OF THE COMPREHENSIVE SCHOOL SAFETY PLAN ACT, IN A  
15 FORM AND MANNER PRESCRIBED BY THE DEPARTMENT OF STATE POLICE.

16 (4) A REPORT UNDER THIS SECTION IS EXEMPT FROM THE FREEDOM OF  
17 INFORMATION ACT, 1976 PA 442, MCL 15.231 TO 15.246.

18 (5) AS USED IN THIS SECTION:

19 (A) "ACT OF VIOLENCE" MEANS A WILLFUL AND DELIBERATE ACT THAT  
20 MEETS EITHER OF THE FOLLOWING:

21 (i) IS A VIOLENT FELONY UNDER THE LAWS OF THIS STATE, WHETHER  
22 OR NOT COMMITTED IN THIS STATE.

23 (ii) IS INTENDED TO INTIMIDATE OR COERCE A SCHOOL, SCHOOL  
24 STAFF, OR PUPILS OR AFFECT THE OPERATION OF A SCHOOL THROUGH  
25 INTIMIDATION OR COERCION, AND THAT A REASONABLE PERSON KNOWS OR HAS  
26 REASON TO KNOW IS DANGEROUS TO HUMAN LIFE.

27 (B) "DANGEROUS TO HUMAN LIFE" MEANS THAT TERM AS DEFINED IN

1 SECTION 543B OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.543B.

2 (C) "THREAT OF VIOLENCE" MEANS A STATEMENT EXPRESSING AN  
3 INTENT TO COMMIT AN ACT OF VIOLENCE.

4 (D) "VIOLENT FELONY" MEANS THAT TERM AS DEFINED IN SECTION 36  
5 OF THE CORRECTIONS CODE OF 1953, 1953 PA 232, MCL 791.236.

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