

HOUSE BILL No. 5539

February 8, 2018, Introduced by Reps. LaSata, Hoadley, Pagan, Kesto, Iden, Griffin, Kahle and Alexander and referred to the Committee on Law and Justice.

A bill to amend 2013 PA 183, entitled
"Student safety act,"
by amending section 3 (MCL 752.913).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. (1) The department, in consultation with the
2 department of state police, the department of ~~community~~-health **AND**
3 **HUMAN SERVICES**, and the department of education shall, to the
4 extent that funds are appropriated for the purpose, establish a
5 program for receiving reports and other information from the public
6 regarding potential self-harm and potential harm or criminal acts,
7 **INCLUDING, BUT NOT LIMITED TO, SEXUAL ABUSE, ASSAULT, OR RAPE,**
8 directed at school students, school employees, or schools in this
9 state. The department shall establish the program within the

1 guidelines of this act. The department shall have access to the
2 information needed to meet the reporting requirements of section 8.

3 (2) The program described in subsection (1) ~~shall~~**MUST** include
4 a hotline for receiving reports and information described in
5 subsection (1). The hotline ~~shall~~**MUST** be available for use 24
6 hours a day, 365 days a year. The department may provide
7 promotional information regarding the program on its departmental
8 website.

9 (3) Prior to operation of the hotline, the department of
10 technology, management, and budget shall issue a request for
11 proposals to enter into a contract for operation of the hotline.
12 The department of technology, management, and budget ~~shall have~~**HAS**
13 sole authority over the request for proposals process and the
14 decision over which entity is awarded the contract. This subsection
15 does not prohibit the department of state police from submitting a
16 proposal. Any contract ~~shall~~**MUST** require the vendor to be bound by
17 the requirements of this act, including its confidentiality
18 provisions. Beginning on the date that the hotline established
19 under this act is operational, all calls received by any existing
20 state-run school violence hotline in operation ~~prior to~~**BEFORE** the
21 establishment of this act ~~shall~~**MUST** be directed to the hotline
22 established under this act. Any existing state-run school violence
23 hotline in operation ~~prior to the effective date of this act shall~~
24 **BEFORE DECEMBER 13, 2013, MUST** be disconnected within 6 months
25 after the hotline established under this act is operational.

26 (4) The department ~~shall be~~**IS** responsible for the continued
27 operational and administrative oversight of the program. The

1 program ~~shall~~**MUST** provide for a means to review all information
2 submitted through the hotline and to direct those reports and that
3 information, including any analysis of the potential threat as
4 determined appropriate by the department or a vendor under contract
5 with the department to local law enforcement officials and school
6 officials. The program ~~shall~~**MUST** include a means by which
7 responses at the local level are determined and evaluated for
8 effectiveness. The department shall ensure that appropriate
9 training is provided to program personnel in all of the following
10 areas:

11 (a) Crisis management, including recognizing mental illness
12 and emotional disturbance.

13 (b) The resources that are available in the community for
14 providing mental health treatment and other human services.

15 (c) Other matters determined by the department to be relevant
16 to the administration and operation of the program.

17 (5) A report or other information submitted to the hotline is
18 considered to be a report to a law enforcement agency and ~~shall~~
19 **MUST** be maintained as a record by the vendor described in ~~section~~
20 ~~3(3)~~**SUBSECTION (3)** for at least 1 year, subject to the
21 confidentiality requirements of this act.

22 (6) The department shall ensure that any hotline information
23 that suggests that a psychiatric emergency is taking place within a
24 county is immediately referred to the community mental health
25 services program psychiatric crisis line for that county.

26 (7) The department shall develop a source of information on
27 available community mental health resources and contacts, including

1 mental health services. The department shall notify schools and law
2 enforcement of this information source. The notice ~~shall~~**MUST**
3 include the departmental recommendation that school and law
4 enforcement, upon investigating a case and determining that mental
5 illness or emotional disturbance is or may be involved, utilize
6 this information in aiding subjects and their parents or guardians.

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