

Legislative Analysis



INSTALLATION OF TEMPORARY DOOR LOCKING DEVICES OR SYSTEMS IN SCHOOL BUILDINGS

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House Bill 4689 (H-2) as reported from committee

Sponsor: Rep. Scott VanSingel

1st Committee: Regulatory Reform

2nd Committee: Ways and Means

Complete to 10-23-19

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 4689 would amend 1937 PA 306, which regulates the construction of school buildings, to allow *temporary door locking devices or systems* to be installed in school buildings.

Temporary door locking device or system would mean an anchoring mechanism or system installed on the interior side of a door that, when engaged, secures the door against forced entry.

Additionally, the bill would require the Department of Licensing and Regulatory Affairs (LARA) to promulgate rules establishing standards and procedures for the installation, approval, and use of a temporary door locking device or system in a school building and to develop a permit and inspection process for that installation and use.

Before installing such a device or system, school administrators would have to obtain approval from the local building code enforcing agency that it meets all of the following:

- The device or system is portable and will not be permanently affixed to the door. Individual parts of the device or system that do not prevent normal ingress or egress could be mounted on a labeled fire door assembly.
- The locking means is capable of being engaged without opening the door.
- The door is capable of being unlocked and opened from outside the room with a required tool or key.
- The locking means does not modify the door closure, panic hardware, or fire exit hardware.
- The device or system may be disengaged by an individual on the interior side of the door without the use of a key or special tool.
- Installation and operation of the fixed elements of the device or system is in compliance with statutory requirements for public facility use by the physically limited.
- A properly trained firefighter, law enforcement officer, or school official is able to release the locking device or system from the outside.

Under the bill, the device or system could provide notification of its location and placement in the event of a lockdown.

School administrators would have to notify the local law enforcement and fire department before installing such a device or system and would have to provide in-service training to staff members working in a building with a device or system. Additionally, they would have to

ensure that the device or system was only engaged for a finite period of time in accordance with, beginning January 1, 2020, their emergency operations plan.

MCL 388.855a and proposed 388.851d

BRIEF DISCUSSION:

Reportedly, locking devices or systems of the type proposed in the bill are already in place in around 300 school districts in Michigan and in all 50 states. Locking devices have also been installed in court houses, military bases, casinos, hospitals, and other facilities. According to committee testimony, the installation of simple locking devices is typically far less expensive than changing the doorknobs on all doors in schools or other steps contemplated in planning for a threat or active shooter. The bill is intended to resolve ambiguity in the act and to clarify that their installation would not constitute a violation of the Fire Code.

FISCAL IMPACT:

House Bill 4689 would not have a significant fiscal impact on LARA or on local law enforcement agencies or fire authorities. Any additional costs to the aforementioned entities are likely to be minimal and would likely be covered by existing resources.

Since the bill would allow, but not require, the installation of a temporary door locking device or system in a school building, school districts, public school academies (PSAs), and intermediate school districts (ISDs) would incur additional compliance and installation costs only if they chose to make the installation.

POSITIONS:

Representatives of the following organizations testified in support of the bill (9-3-19):

- Nightlock
- The Lockout Company
- Kingsley Area Schools
- Hesperia Community Schools
- Napoleon Township Police Department

The following organizations indicated support for the bill:

- Newaygo County School Safety Committee (9-3-19)
- Newaygo RESA (9-3-19)
- Michigan Elementary and Middle School Principals Association (10-22-19)
- Michigan Association of School Boards (10-22-19)
- Michigan Sheriffs' Association (9-3-19)
- Fenton Area Public Schools (9-3-19)

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