

INSTALLATION OF TEMPORARY DOOR LOCKING DEVICES OR SYSTEMS IN SCHOOL BUILDINGS

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House Bills 4689, 5502, and 5503 as enacted
Public Acts 45, 154, and 155 of 2020
Sponsor: Rep. Scott VanSingel
1st House Committee: Regulatory Reform
2nd House Committee: Ways and Means
Senate Committee: Regulatory Reform
Complete to 1-19-21

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

SUMMARY:

House Bill 4689 amends 1937 PA 306, which regulates the construction of school buildings, to allow *temporary door locking devices or systems* to be installed in school buildings. House Bills 5502 and 5503 amend the Fire Prevention Code and the Stille-DeRossett-Hale Single State Construction Code Act, respectively, to specify that a device or system installed under HB 4689 does not violate either of those acts.

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

All of the following requirements apply to the installation and use of a temporary door locking device or system in a school:

- The device or system is portable and will not be permanently affixed to the door. However, individual parts of the device or system that do not prevent normal ingress or egress may be permanently mounted on a labeled fire door assembly.
- The locking means is capable of being engaged without opening the door.
- The locking means does not modify the door closure, panic hardware, or fire exit hardware.
- The door is capable of being unlocked and opened from outside the room with a required tool or key.
- 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.
- A properly trained firefighter, law enforcement officer, or school official is able to release the locking device or system from the outside.
- Installation and operation of the fixed elements of the device or system are in compliance with statutory requirements for public facility use by the physically limited.
- The device or system may provide notification of its location and placement in the event of a lockdown.
- The device or system must not be installed in a room with a capacity of more than 50 people or on doors leading outside the building from a corridor.
- The device or system must be installed according to the installation instructions submitted as described below.
- Any fasteners or through-bolt-penetrations to a labeled fire door assembly must be made of steel.

- Holes, bolts, or fasteners made or used to install a device or system must be the same as stated in the installation instructions.

Before installing such a device or system, school administrators must submit plans to and receive approval from the enforcing agency, obtain a permit for installation, and notify the local law enforcement agency and fire department of the intended installation or use. The device or system must also be approved by the local construction code enforcing agency before use. School administrators must provide in-service training to staff members working in a building with a device or system and must ensure that the device or system is engaged for only a finite period of time in accordance with their emergency operations plan.

HB 4689 took effect June 1, 2020, and HBs 5502 and 5503 took effect September 17, 2020.

MCL 388.851d and 388.855a (HB 4689)

MCL 29.22 (HB 5502)

MCL 125.1528 (HB 5503)

BRIEF DISCUSSION:

Reportedly, locking devices or systems of the type proposed in HB 4689 are already in place in about 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 bills specify requirements for the installation of these devices and provide that their proper installation does not violate 1937 PA 306 or Michigan's fire and construction codes.

FISCAL IMPACT:

House Bill 4689 would not have a significant fiscal impact on the Department of Licensing and Regulatory Affairs 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, and intermediate school districts would incur additional compliance and installation costs only if they chose to make the installation.

House Bills 5502 and 5503 would not have a fiscal impact on any unit of state or local government.

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