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House Bill 4689 (Substitute H-2 as passed by the House)

Sponsor: Representative Scott VanSingel

House Committee: Regulatory Reform  
Ways and Means

Senate Committee: Regulatory Reform

Date Completed: 12-2-19

## **CONTENT**

**The bill would amend Public Act 306 of 1937, which governs the construction, reconstruction, and remodeling of school buildings, to do the following:**

- **Allow a temporary door locking device or system to be installed in a school building.**
- **Require the Department of Licensing and Regulatory Affairs to promulgate rules establishing standards, procedures, and permit and inspection processes regarding the installation and use of temporary door locking devices or systems in school buildings.**
- **Require a school building's administrative authority to obtain approval before installing a temporary door locking device or system, and ensure that the device or system and its installation and use met certain requirements.**
- **List additional responsibilities for the school building's administrative authority as it related to the use of a temporary door locking device or system.**

Specifically, the bill would allow a temporary door locking device or system to be installed in a school building. The Department would have 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 develop a permit and inspection process for that installation and use.

"Temporary door locking device or system" or "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.

A temporary door locking device or system could be installed in any school building or addition to a school building, regardless of the number of stories of the building or addition, or as a component in the construction, reconstruction, or remodeling of a school building or addition to a school building regardless of the costs of that construction, reconstruction, or remodeling.

Before installing the temporary door locking device or system for use with a door, the administrative authority of the school building would have to obtain approval from the enforcing agency in writing that the device or system and its installation and use met all of the following:

- The device or system was portable and would not be permanently affixed to the door (except for certain listed parts that could be permanently mounted on a labeled fire door assembly).
- The locking means was capable of being engaged without opening the door.

- The door was capable of being unlocked and opened from outside the room with a required tool or key.
- The locking means did not modify the door closure, panic hardware, or fire exit hardware.
- The device or system could 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 was in compliance with Public Act 1 of 1966 (which provides for the accessibility and the use of public facilities by people with physical limitations).
- A properly trained firefighter, law enforcement officer, or school official was able to release the locking device or system from the outside.

"Administrative authority of a school building" or "administrative authority" would mean the superintendent, principal, chief administrative officer, or other person having supervisory authority of a school building. "Enforcing agency" would mean the governmental agency that is responsible for administration and enforcement of the State Single Construction Code Act within a governmental subdivision.

The bill would allow a device or system to provide notification of its location and placement in the event of a lockdown.

The administrative authority of the school building would have to do all of the following:

- Before installing or using the device or system in the school building, notify the local fire department and the law enforcement agency that had jurisdiction over the building of the intended installation or use.
- In the school building where the device or system was installed or being used, provide in-service training to staff members working in the building on the use of the device or system, and maintain records verifying this training.

The bill also would require the administrative authority to ensure that the device or system was engaged for only a finite period of time, as determined by the authority in accordance with, beginning January 1, 2020, an emergency operations plan adopted under the Revised School Code. The plan would have to include a description of the installation and use of the temporary locking devices or systems used by the authority.

The installation of a temporary door locking device or system would not be considered construction, reconstruction, or remodeling of a school building or addition to a school building.

MCL 388.855a et al.

Legislative Analyst: Drew Krogulecki

### **FISCAL IMPACT**

The bill would have no fiscal impact on school buildings, school districts, public school academies, and intermediate school districts; however, buildings that installed temporary door locking devices could incur additional costs to comply with the bill.

The Department of Licensing and Regulatory Affairs would have to promulgate rules, but the rules process and any administrative activities associated with the bill would be covered sufficiently by existing appropriations.

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.