

**SUBSTITUTE FOR
HOUSE BILL NO. 4689**

A bill to amend 1937 PA 306, entitled
"An act to promote the safety, welfare, and educational interests of the people of the state of Michigan by regulating the construction, reconstruction, and remodeling of certain public or private school buildings or additions to such buildings, by regulating the construction, reconstruction, and remodeling of buildings leased or acquired for school purposes, and to define the class of buildings affected by this act; to prescribe the powers and duties of certain state agencies and officials; to prescribe penalties for the violation of this act; and to repeal acts and parts of acts,"

by amending the title and section 5a (MCL 388.855a), the title as amended by 2002 PA 628 and section 5a as amended by 2006 PA 199, and by adding section 1d.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1

TITLE



1 An act to promote the safety, welfare, and educational
 2 interests of the people of ~~the state of Michigan~~ **this state** by
 3 regulating the construction, reconstruction, and remodeling of, **and**
 4 **the installation of certain safety devices at**, certain public or
 5 private school buildings or additions to ~~such~~ **those** buildings ~~, and~~
 6 by regulating the construction, reconstruction, and remodeling of,
 7 **and the installation of certain safety devices at**, buildings leased
 8 or acquired for school purposes; ~~, and~~ to define the class of
 9 buildings affected by this act; to prescribe the powers and duties
 10 of certain state agencies and officials; to prescribe penalties for
 11 the violation of this act; and to repeal acts and parts of acts.

12 **Sec. 1d. (1) A temporary door locking device or system may be**
 13 **installed in a school building. The department shall, in accordance**
 14 **with the administrative procedures act of 1969, 1969 PA 306, MCL**
 15 **24.201 to 24.328, promulgate rules establishing standards and**
 16 **procedures for the installation, approval, and use of a temporary**
 17 **door locking device or system in a school building and develop a**
 18 **permit and inspection process for that installation and use.**

19 **(2) All of the following apply to the installation and use of**
 20 **a temporary door locking device or system in a school building:**

21 **(a) Before installing the device or system for use with a**
 22 **door, the administrative authority of the school building shall**
 23 **obtain approval from the enforcing agency in writing that the**
 24 **device or system and its installation and use meet all of the**
 25 **following:**

26 **(i) The device or system is portable and will not be**
 27 **permanently affixed to the door. Individual parts of the locking**
 28 **assembly of the device or system, including, but not limited to,**
 29 **bolts, stops, brackets, and pins, that do not prevent normal**



1 ingress and egress through the door may be permanently mounted on a
2 labeled fire door assembly.

3 (ii) The locking means is capable of being engaged without
4 opening the door.

5 (iii) The door is capable of being unlocked and opened from
6 outside the room with a required tool or key.

7 (iv) The locking means does not modify the door closure, panic
8 hardware, or fire exit hardware.

9 (v) The device or system may be disengaged by an individual on
10 the interior side of the door without the use of a key or special
11 tool.

12 (vi) Installation and operation of the fixed elements of the
13 device or system is in compliance with 1966 PA 1, MCL 125.1351 to
14 125.1356.

15 (vii) A properly trained firefighter, law enforcement officer,
16 or school official is able to release the locking device or system
17 from the outside.

18 (b) The device or system may provide notification of its
19 location and placement in the event of a lockdown.

20 (c) The administrative authority of the school building shall
21 do all of the following:

22 (i) Before installing or using the device or system in the
23 school building, notify the local fire department and the law
24 enforcement agency that has jurisdiction over the building of the
25 intended installation or use.

26 (ii) In the school building where the device or system is
27 installed or being used, provide in-service training to staff
28 members working in the building on the use of the device or system.
29 The administrative authority shall maintain on file a record



1 verifying this training.

2 (iii) Ensure that the device or system is engaged for only a
3 finite period of time, as determined by the administrative
4 authority of the school building in accordance with, beginning
5 January 1, 2020, an emergency operations plan adopted under section
6 1308b of the revised school code, 1976 PA 451, MCL 380.1308b. The
7 emergency operations plan described in this subparagraph must
8 include a description of the installation and use of the temporary
9 locking devices or systems used by the administrative authority.

10 (3) For purposes of this act, the installation of a temporary
11 door locking device or system is not considered construction,
12 reconstruction, or remodeling of a school building or addition to a
13 school building.

14 (4) As used in this section:

15 (a) "Administrative authority of a school building" or
16 "administrative authority" means the superintendent, principal
17 chief administrative officer, or other person having supervisory
18 authority of a school building.

19 (b) "Department" means the department of licensing and
20 regulatory affairs.

21 (c) "Enforcing agency" means that term as defined in section
22 2a of the Stille-DeRossett-Hale single state construction code act,
23 1972 PA 230, MCL 125.1502a.

24 (d) "Panic hardware" means fire door hardware, handles, or
25 push bars that allow for the opening of the door with a single
26 movement.

27 (e) "Temporary door locking device or system" or "device or
28 system" means an anchoring mechanism or system installed on the
29 interior side of a door that, when engaged, secures the door



1 **against forced entry.**

2 Sec. 5a. (1) Except as provided in this section, this act does
3 not apply to 1-story school buildings, to 1-story additions to
4 school buildings, or to the construction, reconstruction, or
5 remodeling of a school building if the total cost of construction,
6 reconstruction, or remodeling is less than \$15,000.00.

7 (2) Section ~~1(a)~~**1(1) (a)** applies to the construction of all
8 school buildings and additions to school buildings regardless of
9 the number of stories of the buildings or additions if the total
10 cost of construction exceeds \$15,000.00.

11 (3) Section ~~1(d)~~**1(1) (d)** applies to the construction of all
12 school buildings and additions to school buildings of 1 or more
13 stories regardless of the cost of construction.

14 (4) This act applies to the reconstruction of a school
15 building destroyed or partially destroyed by fire, windstorm, or
16 other catastrophe if more than 50% of the entire building is
17 destroyed. The bureau of fire services created in section 1b of the
18 fire prevention code, 1941 PA 207, MCL 29.1b, acting jointly with
19 the superintendent of public instruction, may require that the
20 damaged portion or the remaining portion of the building, or both,
21 be remodeled or reconstructed in accordance with this act.

22 (5) This act applies to the remodeling of existing school
23 buildings and other buildings to be used for school purposes.

24 (6) An existing building or part of an existing building,
25 regardless of the number of stories or the cost to the school
26 district of the building, that has not been used as a school
27 building shall not be used as a school building unless it is
28 approved by the superintendent of public instruction and the bureau
29 of fire services.



1 (7) If the construction, reconstruction, or remodeling of a
2 school building costs less than \$15,000.00, it is not necessary to
3 employ a registered architect or engineer, but the plans for the
4 building ~~shall~~**must** be submitted to the bureau of fire services and
5 to the superintendent of public instruction or the superintendent's
6 authorized agent for criticism, suggestions, and approval.

7 (8) **A temporary door locking device or system, as described in**
8 **section 1d, may be installed in any school building or addition to**
9 **a school building, regardless of the number of stories of the**
10 **building or addition, or as a component in the construction,**
11 **reconstruction, or remodeling of a school building or addition to a**
12 **school building regardless of the costs of that construction,**
13 **reconstruction, or remodeling.**