

HOUSE BILL NO. 4689

June 05, 2019, Introduced by Rep. VanSingel and referred to the Committee on Regulatory Reform.

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



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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:

TITLE

An act to promote the safety, welfare, and educational
interests of the people of ~~the state of Michigan~~ **this state** by
regulating the construction, reconstruction, and remodeling of, **and**
the installation of certain safety devices at, certain public or
private school buildings or additions to ~~such~~ **those** buildings, ~~and~~
by regulating the construction, reconstruction, and remodeling of,
and the installation of certain safety devices at, 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.

**Sec. 1d. (1) A temporary door barricade device may be
installed in a school building. The department shall not promulgate
or enforce a rule that prohibits the administrative authority of a
school building from installing a temporary door barricade device
on an interior door in a school building.**

**(2) Before installing a barricade device in a school building,
the administrative authority of the school building shall obtain
approval from the department in writing that the barricade device
meets all of the following qualifications:**

**(a) The barricade device is portable and will not be
permanently affixed to the door. Individual parts of the locking
assembly of the temporary door barricade device, including, but not
limited to, bolts, stops, brackets, and pins, that do not prevent
normal ingress and egress through the door may be permanently**



1 mounted on a labeled fire door assembly if the mounting of those
2 parts does not affect the fire rating of the fire door assembly and
3 meets the requirements and conditions of acceptance under UL
4 standard 10C.

5 (b) The locking means is capable of being engaged without
6 opening the door.

7 (c) The door is capable of being unlocked and opened from
8 outside the room with a required tool.

9 (d) The locking means does not modify the door closure, panic
10 hardware, or fire exit hardware.

11 (e) The barricade device may be disengaged by an individual on
12 the interior side of the door without the use of a key or special
13 tool.

14 (3) The administrative authority of a school building shall do
15 both of the following regarding the installation and use of a
16 barricade device:

17 (a) Before installing or using a barricade device in the
18 school building, notify the local fire department and the law
19 enforcement agency that has jurisdiction over the building.

20 (b) In a school building where a barricade device is installed
21 or used, provide in-service training to staff members working in
22 the building on the use of the barricade device. The administrative
23 authority must maintain on file a record verifying this training.

24 (4) As used in this section:

25 (a) "Department" means the department of licensing and
26 regulatory affairs.

27 (b) "Panic hardware" means fire door hardware, handles, or
28 push bars that allow for the opening of the door with a single
29 movement.



1 (c) "Temporary door barricade device" or "barricade device"
2 means an anchoring mechanism installed on the interior side of a
3 door that, when engaged, secures the door against forced entry.

4 (d) "UL standard 10C" means "UL Standard for Safety for
5 Positive Pressure Fire Tests of Door Assemblies, UL 10C", Third
6 Edition (2016), published by Underwriters Laboratories.

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

12 (2) Section 1(a) applies to the construction of all school
13 buildings and additions to school buildings regardless of the
14 number of stories of the buildings or additions if the total cost
15 of construction exceeds \$15,000.00.

16 (3) Section 1(d) applies to the construction of all school
17 buildings and additions to school buildings of 1 or more stories
18 regardless of the cost of construction.

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

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

29 (6) An existing building or part of an existing building,



1 regardless of the number of stories or the cost to the school
2 district of the building, that has not been used as a school
3 building shall not be used as a school building unless it is
4 approved by the superintendent of public instruction and the bureau
5 of fire services.

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

12 (8) **Section 1d applies to the construction, reconstruction, or**
13 **remodeling of all school buildings and additions to school**
14 **buildings.**

