

Act No. 45
Public Acts of 2020
Approved by the Governor
March 3, 2020
Filed with the Secretary of State
March 3, 2020
EFFECTIVE DATE: June 1, 2020

**STATE OF MICHIGAN
100TH LEGISLATURE
REGULAR SESSION OF 2020**

Introduced by Rep. VanSingel

ENROLLED HOUSE BILL No. 4689

AN ACT 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:

TITLE

An act to promote the safety, welfare, and educational interests of the people of this state by regulating the construction, reconstruction, and remodeling of, and the installation of certain security devices at, certain public or private school buildings or additions to those buildings and by regulating the construction, reconstruction, and remodeling of, and the installation of certain security devices at, buildings leased or acquired for school purposes; 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 locking device or system may be installed pursuant to the requirements under this section.

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

- (a) The device or system is portable and will not be permanently affixed to the door. Individual parts of the locking assembly of the device or system, including, but not limited to, bolts, stops, brackets, and pins, that do not prevent normal ingress and egress through the door may be permanently mounted on a labeled fire door assembly.
- (b) The locking means is capable of being engaged without opening the door.
- (c) The door is capable of being unlocked and opened from outside the room with a required tool or key.
- (d) The locking means does not modify the door closure, panic hardware, or fire exit hardware.
- (e) 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.

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

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

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

(i) 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.

(j) The device or system must be installed per the installation instructions submitted under subsection (3)(a) or (4)(a).

(k) Any fasteners or through-bolt-penetrations to a labeled fire door assembly must be made of steel.

(l) Holes, bolts, or fasteners made or used to install a device or system must be the same as stated in the installation instructions submitted under subsection (3)(a) or (4)(a).

(3) The administrative authority of the school building shall do all of the following:

(a) Before newly installing a device or system in the school building, submit to the enforcing agency drawings, diagrams, and installation instructions for plan review, obtain plan review approval, and obtain a permit for installation as provided in the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1501 to 125.1531, and the fire prevention code, 1941 PA 207, MCL 29.1 to 29.33, and notify the local fire department and the law enforcement agency that has jurisdiction over the building of the intended installation or use, and location, of the device or system.

(b) Before using a newly installed device or system in the school building, notify the enforcing agency that the device or system is ready for inspection and receive written approval from the enforcing agency that the device or system is approved for use.

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

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

(4) If a school building has an existing temporary door locking device or system that was installed before the effective date of the amendatory act that added this section, the enforcing agency shall approve the device or system if all of the following are met:

(a) Not more than 90 days after the effective date of the amendatory act that added this section, the administrative authority of the school building submits to the enforcing agency drawings, diagrams, and installation instructions showing that the device or system meets the requirements of subsection (2).

(b) The administrative authority of the school building applies for and obtains any necessary permits as described in subsection 3(a).

(c) The enforcing agency inspects the installed device or system and determines it meets the requirements of subsection (2).

(5) The administrative authority of a school building in which an existing temporary door locking device or system has been installed as described in subsection (4) shall comply with the requirements of subsection (3)(c) and (d) and shall notify the local fire department and the law enforcement agency that has jurisdiction over the building where the device or system is located.

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

(7) As used in this section:

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

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

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

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

(e) "Temporary door locking device or system" or "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.

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

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

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

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

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

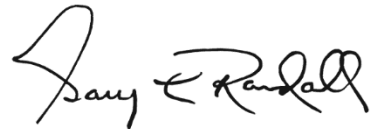
(6) An existing building or part of an existing building, regardless of the number of stories or the cost to the school district of the building, that has not been used as a school building shall not be used as a school building unless it is approved by the superintendent of public instruction and the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

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

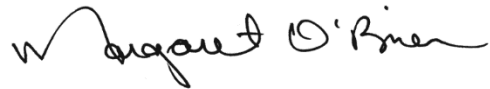
(8) A temporary door locking device or system, as described in section 1d, may be installed in any school building or addition to a school building, regardless of the number of stories of the building or addition, or as a component in the construction, reconstruction, or remodeling of a school building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

Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved _____

Governor