

Legislative Analysis



REQUIRE DISTRIBUTION OF INFORMATION ON SAFE STORAGE OF FIREARMS THROUGH SCHOOLS

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<http://www.house.mi.gov/hfa>

House Bill 5450 (H-3) as reported from committee
Sponsor: Rep. Sharon MacDonell

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

House Bill 5451 (H-2) as reported from committee
Sponsor: Rep. Julie Brixie

Committee: Education
Complete to 11-13-24

(Enacted as Public Acts 257 and 258 of 2024)

SUMMARY:

House Bills 5450 and 5451 would amend the Revised School Code to require schools in Michigan to distribute certain information to students on the safe storage of firearms.

House Bill 5450 would require the Department of Health and Human Services (DHHS) to develop and provide to the Michigan Department of Education (MDE), no later than July 1, 2025, an informational notice containing information and best practices regarding the storage of firearms. The notice would then have to be provided by MDE to all schools in Michigan, both public and nonpublic.

The notice would have to be made available in English, Spanish, and Arabic, and would have to include at least all of the following:

- An overview of the requirements under section 9 of 1927 PA 372.¹
- Answers to frequently asked questions about firearm storage requirements.
- Guidance on where a parent or legal guardian can obtain gun locks and gun safes, including free or low-cost options.

Finally, beginning July 1, 2026, and by every following July 1, DHHS would have to provide MDE an annual update of the notice to account for any changes in law.

Proposed MCL 380.1313a

House Bill 5451 would require that, starting October 1, 2025, and annually on each following October 1, the school board or board of directors of each public school, or the governing body of a nonpublic school, must ensure that the informational notice created under HB 5450 is distributed, electronically or by mail, to the parents or legal guardians of each student enrolled in each school under their jurisdiction.

By October 1, 2025, the English, Spanish, and Arabic versions of the informational notice developed under HB 5450 would have to be posted on MDE's website. Also starting on that date, the board of a school district or intermediate school district (ISD), the board of directors

¹ <https://www.legislature.mi.gov/Laws/MCL?objectName=mcl-28-429> This section, which prescribes certain storage requirements for firearms when minors are, or are likely to be, present on the premises, was added by 2023 PA 17: <https://www.legislature.mi.gov/Bills/Bill?ObjectName=2023-SB-0079>.

of a public school academy (PSA), or the governing body of a nonpublic school, as applicable, would have to post links to MDE's webpage that contains the informational notice on their own respective websites.

Finally, House Bill 5451 would make MDE, DHHS, a school district, an ISD, a PSA, a nonpublic school, and any officers, board members, or employees of those institutions immune from civil liability, both personally and professionally, for any damages allegedly caused by, arising out of, or relating to the informational notice developed under House Bill 5140.

House Bill 5451 is tie-barred to HB 5450, which means that it could not take effect unless HB 5450 is enacted into law.

Proposed MCL 380.1313b

BRIEF DISCUSSION:

Supporters of increased restrictions on the purchase and use of firearms cite, in support of their position, data from the Centers for Disease Control and Prevention (CDC) indicating that gun-related deaths are now the leading cause of death for children aged 1 to 19.² According to sponsor testimony on HB 5450, an estimated 150,000 Michigan children live in homes that have an unsecured firearm, a number that supporters hope will be decreased by the passage of 2023 PA 17, which mandates certain storage requirements for firearms if a minor is present in the home. The sponsors describe the bills' intent as making sure that students' parents and guardians are aware of the new safe storage law, in the hope of preventing future firearm tragedies. Nationally, more than 70% of school shootings involve a firearm that is owned by a parent or close family member and taken by the shooter.³

FISCAL IMPACT:

House Bill 5450 would have a likely minimal fiscal impact on the state and no fiscal impact on local school districts, ISDs, and PSAs.

The bill would minimally increase state expenditures for DHHS and MDE. Any fiscal impact would be dependent on the cost of the development of an informational notice in English, Spanish, and Arabic on the safe storage of firearms and current firearm safety laws and the cost of distributing this information to districts, ISDs, PSAs, and nonpublic schools.

House Bill 5451 could have a minimal fiscal impact on the state and would create indeterminate costs for districts, ISDs, and PSAs.

The bill could minimally increase state expenditures for MDE through the requirement to post the informational notice on the department's website. This cost would likely be absorbed using existing staff time.

² <https://www.cdc.gov/violenceprevention/firearms/fastfact.html>

³ <https://www.michiganmedicine.org/health-lab/most-school-shooters-get-guns-home-and-more-weapons-are-there-pandemic>

The bill would create indeterminate costs for districts, ISDs, and PSAs through the requirements to annually distribute the informational notice either electronically or by mail to parents or legal guardians of enrolled students and post links to the notice on the department website. The cost for districts to distribute by mail would be higher than to distribute electronically.

POSITIONS:

Representatives of the following entities testified in support of the bills:

- Department of Education (4-23-24)
- Everytown for Gun Safety (4-23-24)
- Okemos Public Schools (5-14-24)

The following entities indicated support for the bills:

- American Association of University Women of Michigan (4-23-24)
- Michigan Association of Non-Public Schools (4-23-24)
- Michigan Association of School Boards (4-23-24)
- Michigan Catholic Conference (4-23-24)
- Michigan Education Association (5-14-24)
- Michigan Parent Teacher Association (4-23-24)

The Department of Health and Human Services indicated support for HB 5450 with changes. (5-14-24)

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.