

# Legislative Analysis

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## **POST-SECONDARY SCHOOLS: REQUIRED FIRE DRILLS**

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**Senate Bill 1142 (Substitute S-1)**

**Sponsor: Sen. Mark C. Jansen**

*(Enacted as Public Act 481 of 2014)*

**House Committee: Education**

**First Senate Committee: Regulatory Reform**

**Second Senate Committee: Education**

**Complete to 12-17-14**

## **A SUMMARY OF SENATE BILL 1142 (S-1) AS REPORTED BY HOUSE COMMITTEE**

The bill would amend the Fire Prevention Code to remove colleges and universities from the application of existing fire and tornado drill requirements that concern schools, and prescribe instead specific drill requirements for postsecondary educational institutions.

Compared with the current requirements, the proposed requirements would do the following:

- Eliminate a requirement that fire drills be held on a monthly basis.
- Eliminate a requirement that at least eight fire drills be conducted in a dormitory each school year.
- Eliminate a requirement that at least two tornado safety drills be conducted each school year.

Instead, a postsecondary educational institution would have to ensure that each dormitory does the following:

- Conducts one fire drill in the fall semester, within 21 days after the start of classes.
- Conducts one fire drill in the spring semester.
- Conducts one fire drill in the summer semester, if the dormitory is occupied by students during that semester.

Further, one of these fire drills would have to be held while school was in session and between sunset and sunrise.

The bill also would do the following with regard to a postsecondary educational institution:

- Require an institution to ensure unrestricted emergency egress from each dormitory while students occupied the building.
- Require an institution to retain a record of each fire drill and all emergency procedures training completed by its staff, and make the records available to the Bureau of Fire Services upon request.
- Prescribe civil penalties for an institution that violated the fire drill requirements.

- Authorize the Bureau to require an inspection of an institution's facilities and the preparation of a plan-of-action report, paid for by the institution and capped at \$1,000, if the institution violates these provision two or more times.
- Beginning in 2016, require an institution to submit to the Bureau of Fire Services an annual statement certifying the institution's compliance with the fire drill requirements in the preceding calendar year.
- Beginning in 2016, and on or before February 15 each year, require the Bureau of Fire Services to submit to the Legislature (specifically, to the House Speaker, the Senate Majority Leader, the House and Senate Appropriations Committees, the House and Senate Appropriations Subcommittees on Higher Education and Joint Capital Outlay) and to the Department of Licensing and Regulatory Affairs an annual report describing each violation by a postsecondary educational institution in the preceding state fiscal year.

An institution would be responsible for a civil fine of \$500 for a first violation and \$1,000 for a second or subsequent violation of the bill's requirements. The proceeds from a civil fine would go to the General Fund and credited to the Bureau of Fire Services for enforcement of the Code.

*Definitions.* The bill would define "postsecondary educational institution" to mean a degree- or certificate-granting public or private college or university, junior college, or community college that is located in this state. The term includes the governing board of the postsecondary educational institution.

#### **FISCAL IMPACT:**

By reducing the number of fire drills required of postsecondary institutions, the bill would provide the opportunity for colleges and universities to achieve savings in the annual costs of conducting fire drills. The bill would have no direct fiscal impact on local units of government.

Further, Senate Bill 1142 (S-1), as passed by the Senate, would have an indeterminate, yet nominal fiscal impact on the Bureau of Fire Services within the Department of Licensing and Regulatory Affairs dependent on whether the administrative costs of developing forms, receiving certification statements, and drafting and submitting annual reports are adequately offset by revenue generated by civil fines prescribed under SB 1142 (S-1)

#### **HOUSE COMMITTEE ACTION:**

The members of the House Education Committee reported out the Senate-passed version of the bill without amendment.

#### **POSITIONS:**

The Presidents Council of State Universities Michigan supports the bill. (12-17-14)

The Michigan Community College Association supports the bill. (12-17-14)

Michigan Independent Colleges support the bill. (12-17-14)

The Michigan Department of Licensing and Regulatory Affairs is neutral on the bill.  
(12-17-14)

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