



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

BILL ANALYSIS



Telephone: (517) 373-5383
Fax: (517) 373-1986

House Bill 5850 (as passed by the House)
Sponsor: Representative Brandt Iden
House Committee: Appropriations
Senate Committee: Education

Date Completed: 11-26-18

CONTENT**The bill would repeal an enacting section of the Student Safety Act that will repeal the Act on October 1, 2021.**

The Student Safety Act provides for the development and implementation of a program that allows for confidential reports of potential self-harm or potential harm or criminal acts directed at students, school employees, or schools, to a hotline. Specifically, the Act does the following:

- Requires the Attorney General to establish the program and be responsible for its operational and administrative oversight of the program.
- Requires calls to the hotline to be transmitted to a vendor under contract with the Attorney General.
- Requires the program to provide for a means to review reported information and to direct the information, and any appropriate analysis of the potential threat, to local law enforcement officials and school officials.
- Requires hotline information to be referred immediately to a community mental health services program if a psychiatric emergency might be taking place.
- Requires the Attorney General to develop a source of information about community mental health resources, and to notify schools and law enforcement of this information source.
- Provides that reports or information submitted to the hotline are confidential, and must be maintained by the vendor for at least one year.
- Prescribes conditions for the release of information regarding a report or information submitted to the hotline.
- Prescribes a misdemeanor penalty for intentional disclosure of information in violation of the Act.
- Creates the Student Safety Fund.
- Requires the Attorney General to prepare an annual report of information that was reported to the hotline, local level responses, costs, an analysis of the program's overall effectiveness, and other information.

The Act took effect on December 13, 2013, and will be repealed on October 1, 2021.

The bill would eliminate that sunset date.

MCL 752.911-752.918

BACKGROUND

In 2014, the Office of the Attorney General established the OK2SAY program under the requirements of the Student Safety Act. OK2SAY instituted a hotline that allows students to

confidentially report tips on potential harm or criminal activities directed at school students, school employees, and schools. The program also provides free presentations available for students in grades 6 through 12 to explain the confidentiality of the hotline and the protocol for submitting tips about bullying, peer abuse, suicide, assault, and gun violence.

Since the program's implementation, from September 1, 2014, through March 31, 2017, it had accumulated 7,349 tips and facilitated 3,071 presentations for 361,941 people. In March 2017, the program accumulated 529 tips and facilitated 118 presentations before 17,129 people.

According to the program's 2016 Annual Report (the most recent available on the Attorney General's website), the program received 3,359 tips that year in 28 categories. This number of tips was an increase of 54% compared to the number of tips in 2015 (2,169 tips). The categories included bullying, cyberbullying, suicide threats, self-harm, drugs, assault, sexting, sexual misconduct, planned school attack, weapons possession, and others. OK2SAY technicians then made 1,334 referrals to school officials, 229 to local law enforcement, 91 to community mental health agencies or other social service agencies, and 251 to online resources, crisis lines, talk lines, and similar resources.

Legislative Analyst: Nathan Leaman

FISCAL IMPACT

The bill would have no fiscal impact on the State. To date, the only funding appropriated to the Student Safety Fund is the initial appropriation of \$3.5 million that was appropriated upon the creation of the Fund in 2013. Of that appropriation, the Department of the Attorney General received \$2,371,000 and the Michigan State Police received the remaining \$1,129,000. The Michigan State Police has spent all of its initially-appropriated funds while the Department of Attorney General has a current remaining balance of just under \$500,000. Repealing the Act's sunset date would allow the continuance of the program. The Department of the Attorney General has \$470,000 appropriated in the enacted fiscal year (FY) 2018-19 annual budget for the OK2SAY program's administrative costs, funded from the initial appropriation to the Student Safety Fund. The remaining balance of nearly \$500,000 in the Student Safety Fund within the Department of the Attorney General should be sufficient for one additional year of administrative costs.

The bill would have no fiscal impact on local government.

Fiscal Analyst: Joe Carrasco

SAS\S1718\s5850sa

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.