

# HOUSE BILL No. 4061

January 18, 2017, Introduced by Rep. Kosowski and referred to the Committee on Education Reform.

A bill to amend 1941 PA 207, entitled  
"Fire prevention code,"  
by amending section 19 (MCL 29.19), as amended by 2014 PA 481.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 19. (1) The chief administrative officer and the teachers  
2 of all schools, including state supported schools, and the owner,  
3 or owner's representative, of all school dormitories shall ~~have~~  
4 **CONDUCT** a fire drill each month **DURING THE SCHOOL YEAR** and ensure  
5 unrestricted emergency egress during school hours and when the  
6 school is open to the public. Each teacher in a school, including a  
7 state supported school, and the owner or owner's representative of  
8 a school dormitory shall comply with these requirements and keep a  
9 record of the drills.

10           (2) Except as provided in subsection (3), a minimum of 8 fire

1 drills is required for each school year. If weather conditions do  
2 not permit fire drills to be held ~~at least~~ **NOT LESS THAN** once a  
3 month, then ~~at least~~ **NOT FEWER THAN** 5 fire drills ~~shall~~ **MUST** be  
4 held in the fall of each year and 3 fire drills ~~shall~~ **MUST** be held  
5 during the remaining part of the school year.

6 (3) A minimum of 5 fire drills is required for each school  
7 year for a school that operates any of grades kindergarten to 12.  
8 Three of the fire drills ~~shall~~ **MUST** be held by December 1 of the  
9 school year, and 2 ~~shall~~ **MUST** be held during the remaining part of  
10 the school year, with a reasonable spacing interval between each  
11 drill.

12 (4) A minimum of 2 tornado safety drills is required for each  
13 school year at the schools and facilities described in subsection  
14 (1). At least 1 of the tornado safety drills ~~shall~~ **MUST** be  
15 conducted during March of the school year. These drills ~~shall~~ **MUST**  
16 be conducted for the purpose of preventing injuries caused by  
17 severe weather.

18 (5) ~~A minimum of~~ **THE GOVERNING BODY OF A SCHOOL THAT OPERATES**  
19 **ANY OF GRADES KINDERGARTEN TO 12 SHALL ENSURE THAT NOT FEWER THAN 3**  
20 drills in which the occupants **OF THE SCHOOL BUILDING** are restricted  
21 to the interior of the **SCHOOL** building **ARE CONDUCTED** and **THAT** the  
22 **SCHOOL** building **IS** secured ~~is required for each school year at a~~  
23 ~~school that operates any of grades kindergarten to 12. At least~~  
24 **DURING THE DRILLS. NOT FEWER THAN** 1 of these drills ~~shall~~ **MUST** be  
25 conducted by December 1 of the school year, and ~~at least~~ **NOT FEWER**  
26 **THAN 1** ~~shall~~ **MUST** be conducted after January 1 of the school year,  
27 with a reasonable spacing interval between each drill. A drill

1 conducted under this subsection ~~shall~~**MUST** include security  
2 measures that are appropriate to an emergency such as the release  
3 of a hazardous material or the presence of a potentially dangerous  
4 individual on or near the premises. The governing body of a school  
5 shall seek input from the administration of the school and local  
6 public safety officials on the nature of the drills to be conducted  
7 under this subsection. **NOT MORE THAN 5 DAYS AFTER THE CONCLUSION OF**  
8 **A DRILL UNDER THIS SUBSECTION, THE GOVERNING BODY OF A SCHOOL SHALL**  
9 **NOTIFY THE DEPARTMENT OF STATE POLICE THAT THE DRILL HAS BEEN**  
10 **CONDUCTED.**

11 (6) A school that operates any of grades kindergarten to 12  
12 shall conduct ~~at least~~**NOT FEWER THAN** 1 of the drills required by  
13 this section during a lunch or recess period, or at another time  
14 when a significant number of the students are gathered but not in  
15 the classroom.

16 (7) For a school that operates any of grades kindergarten to  
17 12, the governing body of the school shall ensure that  
18 documentation of a completed school safety drill is posted on its  
19 website ~~within~~**NOT MORE THAN** 30 school days after the drill is  
20 completed and is maintained on the website for ~~at least~~**NOT LESS**  
21 **THAN** 3 years. For a school operated by a school district or  
22 intermediate school district, the documentation may be posted on  
23 the district website. The documentation posted on the website ~~shall~~  
24 **MUST** include at least all of the following:

- 25 (a) The name of the school.  
26 (b) The school year of the drill.  
27 (c) The date and time of the drill.

1 (d) The type of drill completed.

2 (e) The number of completed drills for that school year for  
3 each type of drill required under subsections (3) to ~~(5)~~ **(6)**.

4 (f) The signature of the school principal or his or her  
5 designee acknowledging the completion of the drill.

6 (g) The name of the individual in charge of conducting the  
7 drill, if other than the school principal.

8 (8) Not later than September 15 of each school year, the chief  
9 administrator of a school that operates any of grades kindergarten  
10 to 12, or his or her designee, shall provide a list of the  
11 scheduled drill days for the school buildings operated by the  
12 school, school district, intermediate school district, or public  
13 school academy to the county emergency management coordinator  
14 appointed under section 9 of the emergency management act, 1976 PA  
15 390, MCL 30.409. A scheduled drill that is not conducted on a  
16 scheduled drill day due to conditions not within the control of  
17 school authorities, such as severe storms, fires, epidemics,  
18 utility power unavailability, water or sewer failure, or health  
19 conditions as defined by the city, county, or state health  
20 authorities, ~~will not result in~~ **IS NOT** a violation of this section  
21 ~~as long as~~ **IF** the school conducts the minimum number of drills  
22 required under subsections (3), (4), and (5), the school  
23 reschedules the drill to occur ~~within~~ **NOT MORE THAN** 10 school days  
24 after the scheduled date of the canceled drill, and the chief  
25 administrator notifies the county emergency management coordinator  
26 of the rescheduled date for the drill. The county emergency  
27 management coordinator shall provide this information to the

1 appropriate local emergency management coordinator appointed under  
2 ~~that section,~~ **SECTION 9 OF THE EMERGENCY MANAGEMENT ACT, 1976 PA**  
3 **390, MCL 30.409**, if any, and, consistent with applicable federal,  
4 state, and local emergency operations plans, to the department of  
5 state police district coordinator and the county sheriff for the  
6 county or the chief of police or fire chief for the municipality  
7 where the school is located, or the designee of the sheriff, chief  
8 of police, or fire chief. The information provided under this  
9 subsection is exempt from disclosure under the freedom of  
10 information act, 1976 PA 442, MCL 15.231 to 15.246.

11 (9) A public school that operates any of grades kindergarten  
12 to 12 shall not conduct a drill required under this section at a  
13 time that would interfere with the conduct of a state-mandated  
14 assessment.

15 (10) The state fire marshal, a fire chief, or a firefighter in  
16 uniform acting under orders and directions of the fire chief may  
17 cause fire drills to be held in school houses, school dormitories,  
18 and other public buildings as the state fire marshal considers  
19 advisable. The state fire marshal may order the installation of  
20 other protective apparatus or equipment that conforms to recognized  
21 and approved modern practices.

22 (11) The department of state police emergency management and  
23 homeland security division shall develop a model to be used by a  
24 school in conducting a drill under subsection (5).

25 (12) The governing body of a school that operates any of  
26 grades kindergarten to 12 shall adopt and implement a cardiac  
27 emergency response plan for the school. The cardiac emergency

1 response plan ~~shall~~**MUST** address and provide for at least all of  
2 the following:

3 (a) Use and regular maintenance of automated external  
4 defibrillators, if available.

5 (b) Activation of a cardiac emergency response team during an  
6 identified cardiac emergency.

7 (c) A plan for effective and efficient communication  
8 throughout the school campus.

9 (d) If the school includes grades 9 to 12, a training plan for  
10 the use of an automated external defibrillator and in  
11 cardiopulmonary resuscitation techniques.

12 (e) Incorporation and integration of the local emergency  
13 response system and emergency response agencies with the school's  
14 plan.

15 (f) An annual review and evaluation of the cardiac emergency  
16 response plan.

17 (13) As used in this section:

18 (a) "School" does not include a postsecondary educational  
19 institution as defined in section 19a.

20 (b) "School dormitory" does not include a postsecondary  
21 educational institution dormitory as defined in section 19a.

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