

# SENATE BILL NO. 867

February 09, 2022, Introduced by Senators THEIS, JOHNSON, BARRETT, WOZNIAK, ZORN, DALEY, VICTORY, BIZON, MACDONALD, OUTMAN, ANANICH, VANDERWALL and HORN and referred to the Committee on Education and Career Readiness.

A bill to amend 1937 PA 306, entitled

"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,"

by amending section 1d (MCL 388.851d), as added by 2020 PA 45.

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

1           Sec. 1d. (1) A temporary door locking device or system may be  
2 installed ~~pursuant to~~ **in accordance with** the requirements ~~under of~~  
3 this section.

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

6           (a) The device or system is portable and will not be  
7 permanently affixed to the door. Individual parts of the locking  
8 assembly of the device or system, including, but not limited to,  
9 bolts, stops, brackets, and pins, that do not prevent normal  
10 ingress and egress through the door may be permanently mounted on a  
11 labeled fire door assembly.

12           (b) The locking means is capable of being engaged without  
13 opening the door.

14           ~~(c) The door is capable of being unlocked and opened from~~  
15 ~~outside the room with a required tool or key.~~

16           **(c)** ~~(d)~~ The locking means does not modify the door closure,  
17 panic hardware, or fire exit hardware.

18           **(d)** ~~(e)~~ The device or system may be disengaged by an  
19 individual on the interior side of the door without the use of a  
20 key or special tool.

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

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

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

1       ~~(i) The device or system must not be installed in a room with~~  
2 ~~a capacity of more than 50 people or on doors leading outside the~~  
3 ~~building from a corridor.~~

4       **(h)** ~~(j)~~—The device or system must be installed per the  
5 installation instructions submitted under subsection (3) (a) or  
6 (4) (a).

7       **(i)** ~~(k)~~—Any fasteners or through-bolt-penetrations to a  
8 labeled fire door assembly must be made of steel.

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

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

14       (a) Before newly installing a device or system in the school  
15 building, submit to the enforcing agency drawings, diagrams, and  
16 installation instructions for plan review, obtain plan review  
17 approval, and obtain a permit for installation as provided in the  
18 Stille-DeRossett-Hale single state construction code act, 1972 PA  
19 230, MCL 125.1501 to 125.1531, and the fire prevention code, 1941  
20 PA 207, MCL 29.1 to 29.33, and notify the local fire department and  
21 the law enforcement agency that has jurisdiction over the building  
22 of the intended installation or use, and location, of the device or  
23 system.

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

28       (c) In the school building where the device or system is  
29 installed or being used, provide in-service training to staff

1 members working in the building on the use of the device or system.  
2 The administrative authority shall maintain on file a record  
3 verifying this training.

4 (d) Ensure that the device or system is engaged for only a  
5 finite period of time, as determined by the administrative  
6 authority of the school building in accordance with, beginning  
7 January 1, 2020, an emergency operations plan adopted under section  
8 1308b of the revised school code, 1976 PA 451, MCL 380.1308b. The  
9 emergency operations plan described in this subdivision must  
10 include a description of the installation and use of the temporary  
11 locking devices or systems used by the administrative authority.

12 (4) If a school building has an existing temporary door  
13 locking device or system that was installed before ~~the effective~~  
14 ~~date of the amendatory act that added this section,~~ **June 1, 2020,**  
15 the enforcing agency shall approve the device or system if all of  
16 the following are met:

17 (a) Not more than 90 days after ~~the effective date of the~~  
18 ~~amendatory act that added this section,~~ **June 1, 2020,** the  
19 administrative authority of the school building submits to the  
20 enforcing agency drawings, diagrams, and installation instructions  
21 showing that the device or system meets the requirements of  
22 subsection (2).

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

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

28 (5) The administrative authority of a school building in which  
29 an existing temporary door locking device or system has been

1 installed as described in subsection (4) shall comply with the  
2 requirements of subsection (3)(c) and (d) and shall notify the  
3 local fire department and the law enforcement agency that has  
4 jurisdiction over the building where the device or system is  
5 located.

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

10 (7) As used in this section:

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

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

17 (c) "Enforcing agency" means that term as defined in section  
18 2a of the Stille-DeRossett-Hale single state construction code act,  
19 1972 PA 230, MCL 125.1502a.

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

23 (e) "Temporary door locking device or system" or "device or  
24 system" means an anchoring mechanism or system installed on the  
25 interior side of a door that, when engaged, secures the door  
26 against forced entry.