

# HOUSE BILL NO. 5530

February 29, 2024, Introduced by Reps. Thompson, Harris, Roth, Johnsen, Bierlein, McKinney and VanderWall and referred to the Committee on Government Operations.

A bill to amend 1976 PA 451, entitled  
"The revised school code,"  
(MCL 380.1 to 380.1852) by adding section 1263a.

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

1           **Sec. 1263a. (1) By not later than August 15, 2025, and not**  
2 **later than August 15 of each subsequent year, all of the following**  
3 **requirements must be met, as applicable:**

4           **(a) An intermediate superintendent or the intermediate**  
5 **superintendent's designee shall inspect the school premises,**

1 including each school building on the school premises, of each  
2 school operated by the intermediate school district, and the school  
3 premises, including each school building on the school premises, of  
4 each school operated by a school district that is a constituent  
5 district of the intermediate school district for health and safety  
6 violations, in accordance with guidelines developed and published  
7 by the department of health and human services under subsection  
8 (2).

9 (b) An individual designated by the board of directors of a  
10 public school academy shall inspect the school premises, including  
11 each school building on the school premises, of each school  
12 operated by the public school academy for health and safety  
13 violations, in accordance with guidelines developed and published  
14 by the department of health and human services under subsection  
15 (2).

16 (c) An individual designated by the governing body of a  
17 nonpublic school shall inspect the school premises, including each  
18 school building on the school premises, of each school operated by  
19 the nonpublic school for health and safety violations, in  
20 accordance with guidelines developed and published by the  
21 department of health and human services under subsection (2).

22 (2) By not later than March 1, 2025, the department of health  
23 and human services shall develop and publish guidelines regarding  
24 the inspection of a school premises for health and safety  
25 violations for the purposes described in subsection (1). The  
26 guidelines described in this subsection must include that an  
27 individual is not required to conduct an inspection of any portion  
28 of a school premises if an inspection of that portion of the school  
29 premises is already required by any department or agency of this

1 state.

2 (3) By not later than 14 days after an inspection under  
3 subsection (1), the individual who conducted the inspection under  
4 subsection (1) or the individual's successor shall, in a form and  
5 manner prescribed by the department of health and human services,  
6 submit an inspection report to the department of health and human  
7 services. An inspection report submitted under this subsection must  
8 include at least both of the following, as applicable:

9 (a) Notice of any health and safety violations found on any  
10 school premises that were inspected.

11 (b) If a health and safety violation was found on any school  
12 premises that were inspected, a statement detailing the  
13 modification that will be made or remedial measure that will be  
14 taken to address the violation.

15 (4) By not later than 14 days after an inspection report is  
16 submitted under subsection (3), all of the following must be met,  
17 as applicable:

18 (a) Except as otherwise provided in subdivision (b), (c), or  
19 (d), if an inspection report submitted under subsection (3)  
20 includes a statement detailing a modification or remedial measure  
21 as described in subsection (3)(b), the individual who submitted the  
22 inspection report under subsection (3) or the individual's  
23 successor shall submit proof, in a form and manner prescribed by  
24 the department of health and human services, that the modification  
25 or remedial measure has been completed.

26 (b) If an intermediate school district or school district  
27 contracts for the completion of a modification or remedial measure  
28 detailed in an inspection report submitted under subsection (3),  
29 the individual who submitted the inspection report under subsection

1 (3) or the individual's successor is not required to submit proof  
2 as required under subdivision (a), but shall submit proof, in a  
3 form and manner prescribed by the department of health and human  
4 services, of the steps taken by the intermediate school district or  
5 school district to ensure that the modification or remedial measure  
6 will be completed.

7 (c) If a public school academy contracts for the completion of  
8 a modification or remedial measure detailed in an inspection report  
9 submitted under subsection (3), the individual who submitted the  
10 inspection report under subsection (3) or the individual's  
11 successor is not required to submit proof as required under  
12 subdivision (a), but shall submit proof, in a form and manner  
13 prescribed by the department of health and human services, of the  
14 steps taken by the public school academy to ensure that the  
15 modification or remedial measure will be completed.

16 (d) If a nonpublic school contracts for the completion of a  
17 modification or remedial measure detailed in an inspection report  
18 submitted under subsection (3), the individual who submitted the  
19 inspection report under subsection (3) or the individual's  
20 successor is not required to submit proof as required under  
21 subdivision (a), but shall submit proof, in a form and manner  
22 prescribed by the department of health and human services, of the  
23 steps taken by the nonpublic school to ensure that the modification  
24 or remedial measure will be completed.

25 (5) If an intermediate school district or school district  
26 contracts for the completion of a modification or remedial measure  
27 as described under subsection (4)(b), on completion of the  
28 modification or remedial measure, the individual who made the  
29 submission to the department of health and human services under

1 subsection (4) (b) or the individual's successor shall submit proof,  
2 in a form and manner prescribed by the department of health and  
3 human services, of the completion. If a public school academy  
4 contracts for the completion of a modification or remedial measure  
5 as described under subsection (4) (c), on completion of the  
6 modification or remedial measure, the individual who made the  
7 submission to the department of health and human services under  
8 subsection (4) (c) or the individual's successor shall submit proof,  
9 in a form and manner prescribed by the department of health and  
10 human services, of the completion. If a nonpublic school contracts  
11 for the completion of a modification or remedial measure as  
12 described under subsection (4) (d), on completion of the  
13 modification or remedial measure, the individual who made the  
14 submission to the department of health and human services under  
15 subsection (4) (d) or the individual's successor shall submit proof,  
16 in a form and manner prescribed by the department of health and  
17 human services, of the completion.

18 (6) If an inspection report submitted under subsection (3)  
19 contains a notice of any health and safety violations found on the  
20 school premises that were inspected, the board of an intermediate  
21 school district, the board of directors of a public school academy,  
22 or the governing body of a nonpublic school shall ensure that the  
23 item that is the reason for the health and safety violation is  
24 removed from areas that students access.

25 (7) Subject to state and federal privacy laws, the board of an  
26 intermediate school district, the board of directors of a public  
27 school academy, or the governing body of a nonpublic school shall  
28 ensure that each inspection report submitted under subsection (3)  
29 is posted on the intermediate school district's, public school

1 academy's, or nonpublic school's website.

2 (8) Subject to state and federal privacy laws, if there is a  
3 student death that occurs on school premises of a school operated  
4 by an intermediate school district, operated by a school district  
5 that is a constituent district of the intermediate school district,  
6 operated by a public school academy, or operated by a nonpublic  
7 school, the intermediate school district, public school academy, or  
8 nonpublic school shall report the death and the possible cause of  
9 death to the department. The intermediate school district, public  
10 school academy, or nonpublic school shall remove all personally  
11 identifiable information from the report.

12 (9) As used in this section:

13 (a) "Health and safety violation" includes, but is not limited  
14 to, either of the following:

15 (i) The presence on a school premises, including in each school  
16 building on the school premises, of a table, chair, desk, movable  
17 wall, bleacher, or fixture, including, but not limited to, a shelf  
18 or other piece of furniture, that has been recalled, found  
19 defective, or otherwise been declared unsafe by any department or  
20 agency of this state or the United States government.

21 (ii) The presence of anything on a school premises, including  
22 in each school building on the school premises, that would raise a  
23 clear and obvious concern for student safety based on the good-  
24 faith judgment of the individual conducting the inspection of the  
25 school premises under this section.

26 (b) "Personally identifiable information" means information  
27 that includes, but is not limited to, a student's name, initials,  
28 address, phone number, date of birth, or student identification  
29 number, or that could be reasonably considered to identify a

1 student.

2 (c) "School building" means either of the following:

3 (i) A building used primarily to provide instruction to  
4 students.

5 (ii) A recreational or athletic structure or field intended to  
6 be used by students.

7 (10) This section shall be known as "Lilliana's law".

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