

SENATE BILL NO. 96

February 20, 2025, Introduced by Senators MOSS, MCMORROW, BAYER and HAUCK and referred to Committee on Regulatory Affairs.

A bill to amend 1972 PA 230, entitled "Stille-DeRossett-Hale single state construction code act," by amending section 28 (MCL 125.1528), as amended by 2020 PA 155, and by adding section 4i.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **Sec. 4i. (1) All of the following apply to the installation**
2 **and use of a temporary door locking device or system in a child**
3 **care center:**

4 **(a) The device or system must be portable and must not be**
5 **permanently affixed to the door. Individual parts of the locking**

1 assembly of the device or system, including, but not limited to,
2 bolts, stops, brackets, and pins, that do not prevent normal
3 ingress and egress through the door may be permanently mounted on a
4 labeled fire door assembly.

5 (b) The locking means can be engaged without opening the door.

6 (c) The door can be unlocked and opened from outside the room
7 with the use of a required tool or key.

8 (d) The locking means does not modify the door closure, panic
9 hardware, or fire exit hardware.

10 (e) The device or system can be disengaged by an individual on
11 the interior side of the door without the use of a required tool or
12 key.

13 (f) Installation and operation of the fixed elements of the
14 device or system is in compliance with 1966 PA 1, MCL 125.1351 to
15 125.1356.

16 (g) A properly trained firefighter, law enforcement officer,
17 or child care center staff member is able to release the device or
18 system from outside the room.

19 (h) The device or system can provide notification of its
20 location and placement in the event of a lockdown.

21 (i) The device or system must not be installed on doors that
22 lead outside the child care center from a corridor.

23 (j) The device or system must be installed per the
24 installation instructions submitted under subsection (2)(a) or
25 (3)(a).

26 (k) Any fasteners or through bolt penetrations to a labeled
27 fire door assembly must be made of steel.

28 (l) Holes, bolts, or fasteners made or used to install the
29 device or system must be the same as stated in the installation

1 instructions submitted under subsection (2) (a) or (3) (a) .

2 (2) Except as otherwise provided in subsection (5), the
3 operator of a child care center shall do all of the following:

4 (a) Before newly installing a device or system in the child
5 care center, submit to the enforcing agency 2 copies of the floor
6 plans, drawings, diagrams, and installation instructions for all of
7 the following:

8 (i) Plan review.

9 (ii) To obtain plan review approval.

10 (iii) To obtain a permit for installation, as provided in this
11 act and the fire prevention code, 1941 PA 207, MCL 29.1 to 29.33.

12 (iv) To notify the local fire department and the law
13 enforcement agency that has jurisdiction over the child care center
14 of the intended installation or use, and location, of the device or
15 system.

16 (b) Before using a newly installed device or system in the
17 child care center, notify the enforcing agency that the device or
18 system is ready for inspection and receive written approval from
19 the enforcing agency that the device or system is approved for use.

20 (c) In the child care center where the device or system is
21 installed or being used, provide in-service training to child care
22 center staff members on the use of the device or system and
23 maintain a record that verifies this training.

24 (d) Beginning 90 days after the effective date of the
25 amendatory act that added this section, ensure that the device or
26 system is engaged for only a finite period of time, as determined
27 by the operator of the child care center in accordance with an
28 emergency procedure plan adopted in accordance with licensing rules
29 for child care centers. The emergency procedure plan described

1 under this subdivision must include a description of the
2 installation and use of the device or system used by the operator
3 of the child care center.

4 (3) Except as otherwise provided in subsection (5), if a child
5 care center has an existing temporary door locking device or system
6 that was installed before the effective date of the amendatory act
7 that added this section, the enforcing agency shall approve the
8 device or system if all of the following requirements are met:

9 (a) Not later than 1 year after the effective date of the
10 amendatory act that added this section, the operator of the child
11 care center submits to the enforcing agency 2 copies of the
12 drawings, diagrams, and installation instructions showing that the
13 device or system meets the requirements of subsection (1).

14 (b) The operator of the child care center applies for and
15 obtains any necessary permits as described in subsection (2)(a).

16 (c) The enforcing agency inspects the installed device or
17 system and determines it meets the requirements of subsection (1).

18 (4) The operator of a child care center in which an existing
19 temporary door locking device or system has been installed as
20 described under subsection (3) shall comply with the requirements
21 of subsection (2)(c) and (d) and notify the local fire department
22 and the law enforcement agency that has jurisdiction over the child
23 care center of the location of the device or system.

24 (5) Notwithstanding any rules, regulations, or guidelines
25 promulgated by the department, the operator of a child care center
26 is not required to provide to the department or enforcing agency
27 construction documents that are sealed and signed by a licensed
28 architect or licensed professional engineer in accordance with
29 article 20 of the occupational code, 1980 PA 299, MCL 339.2001 to

1 339.2014, before the operator of the child care center does either
2 of the following:

3 (a) Newly installs a temporary door locking device or system
4 in a child care center.

5 (b) Receives approval for an existing temporary door locking
6 device or system that was installed in a child care center before
7 the effective date of the amendatory act that added this section.

8 (6) A temporary door locking device or system may be installed
9 in any child care center or addition to a child care center,
10 regardless of the number of stories of the building or addition, or
11 as a component in the construction, reconstruction, or remodeling
12 of a child care center or addition to a child care center,
13 regardless of the costs of that construction, reconstruction, or
14 remodeling.

15 (7) As used in this section:

16 (a) "Child care center" means that term as defined under
17 section 1 of 1973 PA 116, MCL 722.111.

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

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

25 Sec. 28. (1) Any provision of any of the following that is
26 inconsistent or in conflict with this act is superseded to the
27 extent of the inconsistency or conflict:

28 (a) Section 34 of 1933 (Ex Sess) PA 18, MCL 125.684.

29 (b) Article 11 of the skilled trades regulation act, 2016 PA

1 407, MCL 339.6101 to 339.6133.

2 (c) Article 7 of the skilled trades regulation act, 2016 PA
3 407, MCL 339.5701 to 339.5739.

4 (d) Except as otherwise provided in this section, any other
5 public act.

6 (2) Any provision of this act that is inconsistent or in
7 conflict with the Michigan fireworks safety act, 2011 PA 256, MCL
8 28.451 to 28.470, as it relates to the retail sale of consumer
9 fireworks and low-impact fireworks, as those terms are defined in
10 that act, is superseded to the extent of the inconsistency or
11 conflict.

12 (3) This act does not repeal, amend, supersede, or otherwise
13 affect the powers and duties under any of the following:

14 (a) Part 55 of the natural resources and environmental
15 protection act, 1994 PA 451, MCL 324.5501 to 324.5542.

16 (b) Part 124 of the public health code, 1978 PA 368, MCL
17 333.12401 to 333.12434.

18 (c) The Michigan occupational safety and health act, 1974 PA
19 154, MCL 408.1001 to 408.1094.

20 (d) Article 9 of the skilled trades regulation act, 2016 PA
21 407, MCL 339.5901 to 339.5947.

22 (e) 1967 PA 227, MCL 408.801 to 408.824.

23 (f) 1937 PA 306, MCL 388.851 to 388.855a.

24 (4) A ~~labelled~~**labeled** fire door assembly with a temporary
25 door locking device or system that is installed ~~under~~**in accordance**
26 **with section 4i or** section 1d of 1937 PA 306, MCL 388.851d, does
27 not violate this act.

28 Enacting section 1. This amendatory act does not take effect
29 unless all of the following bills of the 103rd Legislature are

1 enacted into law:

2 (a) Senate Bill No. 97.

3

4 (b) Senate Bill No. 98.