



House Office Building, 9 South
Lansing, Michigan 48909
Phone: 517/373-6466

FIREARM SAFETY AWARENESS

House Bill 5693 (Substitute H-2) First Analysis (5-23-00)

Sponsor: Rep. Larry Julian
Committee: Education

THE APPARENT PROBLEM:

According to a report in the *New England Journal of Medicine* published on September 17, 1998, the rates of injury and death due to firearms and the rates of crime committed with firearms in the United States are far higher than those in any other industrialized nation. Every hour, guns are used to kill four people and to commit 120 crimes in this country. Gun-related deaths among children and adolescents also are a particular problem in the United States.

Many leaders in communities across America recognize the need to teach children about gun safety. They have sought to address the problem of firearm homicides through education in the public schools. Some school-based programs, like the "Eddie Eagle" program, are provided to elementary school students in grades kindergarten through five at no cost, since all materials and training assistance are provided free of charge by the National Rifle Association.

Programs such as the Eddie Eagle Gun Safety Program are accident prevention programs, generally designed for children in pre-school through grade six. They teach children what to do if they see a gun in an unsupervised situation. Recognized by the National Safety Council, and the American Legion in granting its National Education Award, the program has been presented to approximately 10 million children nationwide since its inception in 1988.

In gun safety and awareness programs, children learn what to do when they discover or confront a firearm. Generally, they are trained to follow four steps: Stop. Don't touch. Leave the area. Tell an adult. Those who are advocates of the programs say the message is the equivalent of "don't play with matches," or "stop, drop, and roll" fire escape training. These and similar safety programs enable children to avoid becoming victims. Though simple in their approaches, they save countless kids' lives.

THE CONTENT OF THE BILL:

House Bill 5693 would amend the Revised School Code to require school districts and public school academies to adopt and implement a policy on firearm safety and awareness for its pupils in grades kindergarten to six.

The firearm safety and awareness policy could include but need not be limited to any firearm safety and awareness program or information established by the Department of State Police, firearm safety and awareness information already included in the school district's or public school academy's existing comprehensive health education curriculum, or a combination of these. The policy could also include instruction in conflict resolution.

Under the bill, the policy would be required to provide that the program or information neither encourage nor discourage firearm ownership, but would be required instead to educate pupils in grades kindergarten to six on the proper action to take if they discovered a firearm in an unsupervised situation. The bill also specifies that the firearm safety and awareness policy would require advance notice to parents and legal guardians, and provide that, upon the written request of a pupil's parent or guardian, a pupil be excused without penalty or loss of academic credit, from attending a firearm safety and awareness program.

Under the bill, the school board or board of directors of a public school academy would be required to provide a copy of the policy to the Department of Education upon request.

House Bill 5693 would also require that, not later than 90 days after the effective date of the bill, the Department of State Police, in cooperation with the Department of Education, develop and make available to school districts and public school academies a model policy on firearm safety and awareness that could be adopted for the purposes of the bill.

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Finally, the bill would require that a board of education or the board of directors of a public school academy ensure that firearms are not brought into a school building for the programs described in the bill, except by a law enforcement officer authorized to carry a firearm. However, a law enforcement officer could not use or show a firearm as part of the programs described in the bill.

MCL 380.1305

FISCAL IMPLICATIONS:

Fiscal information is not available.

ARGUMENTS:

For:

Regardless of one's views on gun control issues, it is a fact that firearms are present in many homes. Gun safety awareness programs can help save youngsters' lives, if children are trained to follow four steps: "Stop. Don't touch. Leave the area. Tell an adult." This plain and simple message can help kids avoid becoming victims when they encounter a gun in an unsupervised situation. For kids to receive this life-saving training, a gun safety and awareness program offered during the early elementary years of a child's education is a wise and appropriate public policy.

Against:

It is now quite clear that the implementation of gun control polices focused exclusively on education and enforcement--that is to say, programs that train people to carefully handle or report guns, coupled with punishment for criminal violations--are not the most effective ways to reduce the firearm injury problem in the United States. Instead, policymakers must recognize that firearms, like motor vehicles, are consumer products that cause injury. Thus they can and should be regulated by federal or state government. When it comes to regulation, guns are a conspicuous exception. Deliberately exempt from the oversight of the Consumer Product Safety Commission, the *New England Journal of Medicine* (9-17-98) notes that Americans are in the indefensible position of having stronger consumer protection standards for toy guns, and teddy bears, than for real guns. Changes in the design of handguns could reduce the incidence of gun-related injuries, yet the design of handguns has been left primarily to the manufacturers. In the meantime, children die needlessly.

Against:

Guns should not be used in school environments for any purpose, and most especially they should not be available to children in elementary schools. Even when guns are unloaded and used as examples of firearms in gun safety and awareness programs, they present an alluring but lethal danger as they arouse the curiosity of small children.

Response:

The legislation was amended by the House Education Committee to prohibit guns from being used as examples during school-based gun safety awareness programs. Further, the committee amended the bill to allow parents to withdraw their children from school-based programs.

POSITIONS:

The National Rifle Association supports the bill. (5-19-00)

The Michigan Federation of Private Child and Family Agencies supports the bill. (5-19-00)

The Michigan Coalition for Children and Families offered written testimony in support of the bill. (5-15-00)

Michigan's Children offered written testimony in support of the bill. (5-15-00)

Analyst: J. Hunault

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.