

# HOUSE BILL No. 5010

October 21, 2015, Introduced by Reps. Sheppard, Kosowski and Iden and referred to the Committee on Judiciary.

A bill to amend 1976 PA 451, entitled  
"The revised school code,"  
(MCL 380.1 to 380.1852) by adding section 1241.

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

1           SEC. 1241. (1) THE BOARD OF A SCHOOL DISTRICT OR INTERMEDIATE  
2 SCHOOL DISTRICT, BOARD OF DIRECTORS OF A PUBLIC SCHOOL ACADEMY, OR  
3 GOVERNING BODY OF A STATE APPROVED NONPUBLIC SCHOOL MAY ENTER INTO  
4 AN AGREEMENT WITH A QUALIFIED VOLUNTEER TO PATROL SCHOOL PREMISES  
5 FOR THE SOLE PURPOSE OF PREVENTING OR RESPONDING TO A MASS CASUALTY  
6 EVENT CONNECTED WITH ILLEGAL ACTIVITY. TO IDENTIFY A QUALIFIED  
7 VOLUNTEER, THE BOARD, BOARD OF DIRECTORS, OR GOVERNING BODY MAY  
8 REQUEST A COPY OF THE LIST MAINTAINED BY THE MICHIGAN STATE POLICE  
9 UNDER SECTION 17 OF 1935 PA 59, MCL 28.17. IF THE QUALIFIED

1 VOLUNTEER IS CURRENTLY EMPLOYED AS A LAW ENFORCEMENT OFFICER, THE  
2 QUALIFIED VOLUNTEER SHALL OBTAIN THE PERMISSION OF HIS OR HER  
3 EMPLOYER BEFORE ENTERING INTO AN AGREEMENT UNDER THIS SECTION. AN  
4 AGREEMENT MAY INCLUDE PROVISIONS RELATING TO ADDITIONAL TRAINING,  
5 UNIFORMS, OR OTHER MATTERS THAT THE BOARD, BOARD OF DIRECTORS, OR  
6 GOVERNING BODY CONSIDERS APPROPRIATE. A VOLUNTEER SHALL NOT SPEND  
7 MORE THAN 9 HOURS OF ANY WEEK ENGAGED IN VOLUNTEER ACTIVITIES  
8 PURSUANT TO THIS SECTION. A BOARD, BOARD OF DIRECTORS, OR GOVERNING  
9 BODY MAY REIMBURSE THE QUALIFIED VOLUNTEER FOR THE COST OF A  
10 CRIMINAL RECORDS CHECK UNDER SECTION 3 OF 1935 PA 120, MCL 28.273.

11 (2) A SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, PUBLIC  
12 SCHOOL ACADEMY, STATE APPROVED NONPUBLIC SCHOOL, MEMBER OF THE  
13 BOARD OF A SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT, MEMBER  
14 OF THE BOARD OF DIRECTORS OF A PUBLIC SCHOOL ACADEMY, MEMBER OF THE  
15 GOVERNING BODY OF A STATE APPROVED NONPUBLIC SCHOOL, OR A QUALIFIED  
16 VOLUNTEER UNDER THIS SECTION IS NOT LIABLE IN DAMAGES IN A CIVIL  
17 ACTION FOR INJURY, DEATH, OR LOSS TO PERSON OR PROPERTY ALLEGEDLY  
18 ARISING FROM THE QUALIFIED VOLUNTEER'S PERFORMANCE OF SERVICES  
19 UNDER THIS SECTION UNLESS THE INJURY, DEATH, OR LOSS RESULTED FROM  
20 THE QUALIFIED VOLUNTEER'S RECKLESS OR WANTON CONDUCT.

21 (3) AS USED IN THIS SECTION, "QUALIFIED VOLUNTEER" MEANS AN  
22 INDIVIDUAL WHO IS ON THE LIST MAINTAINED BY THE MICHIGAN STATE  
23 POLICE UNDER SECTION 17 OF 1935 PA 59, MCL 28.17.

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

26 Enacting section 2. This amendatory act does not take effect  
27 unless all of the following bills of the 98th Legislature are

1 enacted into law:

2 (a) Senate Bill No. \_\_\_\_\_ or House Bill No. 5012 (request no.  
3 03466'15).

4 (b) Senate Bill No. \_\_\_\_\_ or House Bill No. 5011 (request no.  
5 03467'15 \*).