

# HOUSE BILL NO. 5701

January 27, 2022, Introduced by Rep. VanSingel and referred to the Committee on Regulatory Reform.

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

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

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

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

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

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

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

12 (3) ~~The~~ **Except as otherwise provided in subsection (6), the**  
13 administrative authority of the school building shall do all of the  
14 following:

15 (a) Before newly installing a device or system in the school  
16 building, submit to the enforcing agency **2 copies of the floor**  
17 **plans**, drawings, diagrams, and installation instructions for plan  
18 review, obtain plan review approval, and obtain a permit for  
19 installation, as provided in the Stille-DeRossett-Hale single state  
20 construction code act, 1972 PA 230, MCL 125.1501 to 125.1531, and  
21 the fire prevention code, 1941 PA 207, MCL 29.1 to 29.33, and  
22 notify the local fire department and the law enforcement agency  
23 that has jurisdiction over the building of the intended  
24 installation or use, and location, of the device or system.

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

29 (c) In the school building where the device or system is

1 installed or being used, provide in-service training to staff  
2 members working in the building on the use of the device or system.  
3 The administrative authority shall maintain on file a record  
4 verifying this training.

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

13 (4) ~~If~~ **Except as otherwise provided in subsection (6), if** a  
14 school building has an existing temporary door locking device or  
15 system that was installed before ~~the effective date of the~~  
16 ~~amendatory act that added this section,~~ **June 1, 2020**, the enforcing  
17 agency shall approve the device or system if all of the following  
18 are met:

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

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

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

1           (5) The administrative authority of a school building in which  
2 an existing temporary door locking device or system has been  
3 installed as described in subsection (4) shall comply with the  
4 requirements of subsection (3)(c) and (d) and shall notify the  
5 local fire department and the law enforcement agency that has  
6 jurisdiction over the building where the device or system is  
7 located.

8           **(6) Notwithstanding any rules, regulations, or guidelines**  
9 **promulgated by the department to the contrary, an administrative**  
10 **authority of a school building is not required to provide to the**  
11 **department or enforcing agency construction documents that are**  
12 **sealed and signed by a licensed architect or licensed professional**  
13 **engineer in accordance with article 20 of the occupational code,**  
14 **1980 PA 299, MCL 339.2001 to 339.2014, before doing any of the**  
15 **following:**

16           **(a) Newly installing a temporary door locking device or system**  
17 **in a school building.**

18           **(b) Receiving approval for an existing temporary door locking**  
19 **device or system that was installed in a school building before**  
20 **June 1, 2020.**

21           **(7) ~~(6)~~**For purposes of this act, the installation of a  
22 temporary door locking device or system is not considered  
23 construction, reconstruction, or remodeling of a school building or  
24 addition to a school building.

25           **(8) ~~(7)~~**As used in this section:

26           **(a) "Administrative authority of a school building" or**  
27 **"administrative authority" means the superintendent, principal**  
28 **chief administrative officer, or other person having supervisory**  
29 **authority of a school building.**

1           (b) "Department" means the department of licensing and  
2 regulatory affairs.

3           (c) "Enforcing agency" means that term as defined in section  
4 2a of the Stille-DeRossett-Hale single state construction code act,  
5 1972 PA 230, MCL 125.1502a.

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

9           (e) "Temporary door locking device or system" or "device or  
10 system" means an anchoring mechanism or system installed on the  
11 interior side of a door that, when engaged, secures the door  
12 against forced entry.