

Act No. 48
Public Acts of 2022
Approved by the Governor
March 23, 2022
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March 23, 2022
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**STATE OF MICHIGAN
101ST LEGISLATURE
REGULAR SESSION OF 2022**

Introduced by Rep. VanSingel

ENROLLED HOUSE BILL No. 5701

AN ACT 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:

Sec. 1d. (1) A temporary door locking device or system may be installed in accordance with the requirements of this section.

(2) All of the following apply to the installation and use of a temporary door locking device or system in a school building:

(a) The device or system is portable and will not be permanently affixed to the door. Individual parts of the locking assembly of the device or system, including, but not limited to, bolts, stops, brackets, and pins, that do not prevent normal ingress and egress through the door may be permanently mounted on a labeled fire door assembly.

(b) The locking means is capable of being engaged without opening the door.

(c) The door is capable of being unlocked and opened from outside the room with a required tool or key.

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

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

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

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

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

(i) The device or system must not be installed on doors leading outside the building from a corridor.

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

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

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

(3) Except as otherwise provided in subsection (6), the administrative authority of the school building shall do all of the following:

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

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

(c) In the school building where the device or system is installed or being used, provide in-service training to staff members working in the building on the use of the device or system. The administrative authority shall maintain on file a record verifying this training.

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

(4) Except as otherwise provided in subsection (6), if a school building has an existing temporary door locking device or system that was installed before June 1, 2020, the enforcing agency shall approve the device or system if all of the following are met:

(a) Not more than 1 year after June 1, 2020, the administrative authority of the school building submits to the enforcing agency 2 copies of the drawings, diagrams, and installation instructions showing that the device or system meets the requirements of subsection (2).

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

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

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

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

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

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

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

(8) As used in this section:

(a) “Administrative authority of a school building” or “administrative authority” means the superintendent, principal chief administrative officer, or other person having supervisory authority of a school building.


(b) “Department” means the department of licensing and regulatory affairs.

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

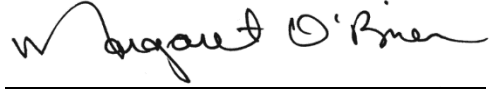
(d) “Panic hardware” means fire door hardware, handles, or push bars that allow for the opening of the door with a single movement.

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

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved _____

Governor