

Act No. 371
Public Acts of 2018
Approved by the Governor
December 17, 2018
Filed with the Secretary of State
December 17, 2018
EFFECTIVE DATE: March 17, 2019

**STATE OF MICHIGAN
99TH LEGISLATURE
REGULAR SESSION OF 2018**

Introduced by Reps. LaSata, Hoadley, Pagan, Kesto, Iden, Griffin, Kahle and Alexander

ENROLLED HOUSE BILL No. 5539

AN ACT to amend 2013 PA 183, entitled “An act to create the student safety act; to provide for confidential reports of potential harm or criminal activities directed at school students, school employees, and schools; to establish a hotline for filing those reports; to create the student safety fund and to provide for contributions to and expenditures from that fund; to prescribe the powers and duties of certain state officials and departments; to provide for procedures for the release of certain confidential information; to prescribe penalties; and to repeal acts and parts of acts,” by amending section 3 (MCL 752.913).

The People of the State of Michigan enact:

Sec. 3. (1) The department, in consultation with the department of state police, the department of health and human services, and the department of education shall, to the extent that funds are appropriated for the purpose, establish a program for receiving reports and other information from the public regarding potential self-harm and potential harm or criminal acts, including, but not limited to, sexual abuse, assault, or rape, directed at school students, school employees, or schools in this state. The department shall establish the program within the guidelines of this act. The department shall have access to the information needed to meet the reporting requirements of section 8.

(2) The program described in subsection (1) must include a hotline for receiving reports and information described in subsection (1). The hotline must be available for use 24 hours a day, 365 days a year. The department may provide promotional information regarding the program on its departmental website.

(3) Prior to operation of the hotline, the department of technology, management, and budget shall issue a request for proposals to enter into a contract for operation of the hotline. The department of technology, management, and budget has sole authority over the request for proposals process and the decision over which entity is awarded the contract. This subsection does not prohibit the department of state police from submitting a proposal. Any contract must require the vendor to be bound by the requirements of this act, including its confidentiality provisions. Beginning on the date that the hotline established under this act is operational, all calls received by any existing state-run school violence hotline in operation before the establishment of this act must be directed to the hotline established under this act. Any existing state-run school violence hotline in operation before December 13, 2013, must be disconnected within 6 months after the hotline established under this act is operational.

(4) The department is responsible for the continued operational and administrative oversight of the program. The program must provide for a means to review all information submitted through the hotline and to direct those reports and that information, including any analysis of the potential threat as determined appropriate by the department or a vendor under contract with the department to local law enforcement officials and school officials. The program must include a means by which responses at the local level are determined and evaluated for effectiveness. The department shall ensure that appropriate training is provided to program personnel in all of the following areas:

(a) Crisis management, including recognizing mental illness and emotional disturbance.

(b) The resources that are available in the community for providing mental health treatment and other human services.

(c) Other matters determined by the department to be relevant to the administration and operation of the program.

(5) A report or other information submitted to the hotline is considered to be a report to a law enforcement agency and must be maintained as a record by the vendor described in subsection (3) for at least 1 year, subject to the confidentiality requirements of this act.

(6) The department shall ensure that any hotline information that suggests that a psychiatric emergency is taking place within a county is immediately referred to the community mental health services program psychiatric crisis line for that county.

(7) The department shall develop a source of information on available community mental health resources and contacts, including mental health services. The department shall notify schools and law enforcement of this information source. The notice must include the departmental recommendation that school and law enforcement, upon investigating a case and determining that mental illness or emotional disturbance is or may be involved, utilize this information in aiding subjects and their parents or guardians.

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

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor