

# HOUSE BILL NO. 4094

February 14, 2023, Introduced by Reps. Fitzgerald, Breen, Conlin, Puri, Neyer, Hoskins, Zorn, Greene, Haadsma, Alexander, Fox, MacDonell, Meerman, Johnsen, Wozniak, Tisdell, Bezotte, Kunse, Price and Whitsett and referred to the Committee on Education.

A bill to amend 1941 PA 207, entitled  
"Fire prevention code,"  
by amending section 19 (MCL 29.19), as amended by 2014 PA 481.

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

1           Sec. 19. (1) The chief administrative officer and the teachers  
2 of all schools, including state supported schools, and the owner,  
3 or owner's representative, of all school dormitories shall have a  
4 fire drill each month and ensure unrestricted emergency egress  
5 during school hours and when the school is open to the public. Each  
6 teacher in a school, including a state supported school, and the  
7 owner, or owner's representative, of a school dormitory shall

1 comply with these requirements and keep a record of the drills.

2 (2) Except as provided in subsection (3), a minimum of ~~8-7~~  
3 fire drills is required for each school year. If weather conditions  
4 do not permit fire drills to be held at least once a month, then at  
5 least ~~5-4~~ fire drills ~~shall-must~~ be held in the fall of each **school**  
6 year and 3 fire drills ~~shall-must~~ be held during the remaining part  
7 of the school year.

8 (3) A minimum of ~~5-4~~ fire drills is required for each school  
9 year for a school that operates any of grades kindergarten to 12.  
10 ~~Three-Two~~ of the fire drills ~~shall-must~~ be held by December 1 of  
11 the school year, and 2 ~~shall-must~~ be held during the remaining part  
12 of the school year, with a reasonable spacing interval between each  
13 drill.

14 (4) A minimum of 2 tornado safety drills is required for each  
15 school year at the schools and facilities described in subsection  
16 (1). At least 1 of the tornado safety drills ~~shall-must~~ be  
17 conducted during March of the school year. These drills ~~shall-must~~  
18 be conducted for the purpose of preventing injuries caused by  
19 severe weather.

20 (5) A minimum of ~~3-4~~ drills in which the occupants are  
21 restricted to the interior of the building and the building secured  
22 is required for each school year at a school that operates any of  
23 grades kindergarten to 12. At least 1 of ~~these-the 4~~ drills ~~shall~~  
24 **must** be conducted by December 1 of the school year, and at least 1  
25 ~~shall-must~~ be conducted after January 1 of the school year, with a  
26 reasonable spacing interval between each drill. **At least 1 of the 4**  
27 **drills must be conducted in accordance with subsection (6), and at**  
28 **least 1 must be conducted when students are in between classes.** A  
29 drill conducted under this subsection ~~shall-must~~ include security

1 measures that are appropriate to an emergency, such as the release  
2 of a hazardous material or the presence of a potentially dangerous  
3 individual on or near the premises. The governing body of a school  
4 shall seek input from the administration of the school and local  
5 public safety officials on the nature of the drills to be conducted  
6 under this subsection.

7 (6) A school that operates any of grades kindergarten to 12  
8 shall conduct at least 1 of the drills required by this section  
9 during a lunch or recess period, or at another time when a  
10 significant number of the students are gathered but not in the  
11 classroom.

12 (7) For a school that operates any of grades kindergarten to  
13 12, the governing body of the school shall ensure that  
14 documentation of a completed school safety drill is posted on its  
15 website ~~within~~ **not later than** 30 school days after the drill is  
16 completed and is maintained on the website for ~~at least~~ **not less**  
17 **than** 3 years. For a school operated by a school district or  
18 intermediate school district, the documentation may be posted on  
19 the district website. The documentation posted on the website ~~shall~~  
20 **must** include at least all of the following:

21 (a) The name of the school.

22 (b) The school year of the drill.

23 (c) The date and time of the drill.

24 (d) The type of drill completed.

25 (e) The number of completed drills for that school year for  
26 each type of drill required under subsections (3) to (5).

27 (f) The signature of the school principal or ~~his or her~~ **the**  
28 **school principal's** designee acknowledging the completion of the  
29 drill.

1 (g) The name of the individual in charge of conducting the  
2 drill, if other than the school principal.

3 (8) Not later than September 15 of each school year, the chief  
4 administrator of a school that operates any of grades kindergarten  
5 to 12, or ~~his or her~~ **the chief administrator's** designee, shall  
6 provide a list of the scheduled drill days for the school buildings  
7 operated by the school, school district, intermediate school  
8 district, or public school academy to the county emergency  
9 management coordinator appointed under section 9 of the emergency  
10 management act, 1976 PA 390, MCL 30.409. A scheduled drill that is  
11 not conducted on a scheduled drill day due to conditions not within  
12 the control of school authorities, such as severe storms, fires,  
13 epidemics, utility power unavailability, water or sewer failure, or  
14 health conditions as defined by the city, county, or state health  
15 authorities, will not result in a violation of this section as long  
16 as the school conducts the minimum number of drills required under  
17 subsections (3) ~~, (4), and~~ to (5), the school reschedules the drill  
18 to occur ~~within~~ **not later than** 10 school days after the scheduled  
19 date of the canceled drill, and the chief administrator notifies  
20 the county emergency management coordinator of the rescheduled date  
21 for the drill. The county emergency management coordinator shall  
22 provide this information to the appropriate local emergency  
23 management coordinator appointed under ~~that section,~~ **section 9 of**  
24 **the emergency management act, 1976 PA 390, MCL 30.409;** if any, and,  
25 consistent with applicable federal, state, and local emergency  
26 operations plans, to the department of state police district  
27 coordinator and the county sheriff for the county or the chief of  
28 police or fire chief for the municipality where the school is  
29 located, or the designee of the sheriff, chief of police, or fire

1 chief. The information provided under this subsection is exempt  
2 from disclosure under the freedom of information act, 1976 PA 442,  
3 MCL 15.231 to 15.246.

4 (9) A public school that operates any of grades kindergarten  
5 to 12 shall not conduct a drill required under this section at a  
6 time that would interfere with the conduct of a state-mandated  
7 assessment.

8 (10) The state fire marshal, a fire chief, or a firefighter in  
9 uniform acting under orders and directions of the fire chief may  
10 cause fire drills to be held in school houses, school dormitories,  
11 and other public buildings as the state fire marshal considers  
12 advisable. The state fire marshal may order the installation of  
13 other protective apparatus or equipment that conforms to recognized  
14 and approved modern practices.

15 (11) The department of state police emergency management and  
16 homeland security division shall develop a model to be used by a  
17 school in conducting a drill under subsection (5).

18 (12) The governing body of a school that operates any of  
19 grades kindergarten to 12 shall adopt and implement a cardiac  
20 emergency response plan for the school. The cardiac emergency  
21 response plan ~~shall~~**must** address and provide for at least all of  
22 the following:

23 (a) Use and regular maintenance of automated external  
24 defibrillators, if available.

25 (b) Activation of a cardiac emergency response team during an  
26 identified cardiac emergency.

27 (c) A plan for effective and efficient communication  
28 throughout the school campus.

29 (d) If the school includes grades 9 to 12, a training plan for

1 the use of an automated external defibrillator and in  
2 cardiopulmonary resuscitation techniques.

3 (e) Incorporation and integration of the local emergency  
4 response system and emergency response agencies with the school's  
5 plan.

6 (f) An annual review and evaluation of the cardiac emergency  
7 response plan.

8 (13) As used in this section:

9 (a) "School" does not include a postsecondary educational  
10 institution as **that term is** defined in section 19a.

11 (b) "School dormitory" does not include a postsecondary  
12 educational institution dormitory as **that term is** defined in  
13 section 19a.