

HOUSE BILL NO. 5527

February 29, 2024, Introduced by Reps. Fitzgerald, Tyrone Carter, Martus, Glanville, Wilson, Scott, Liberati, McKinney, Edwards, Dievendorf, Snyder and Haadsma and referred to the Committee on Regulatory Reform.

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

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

1 owner or owner's representative of a school dormitory shall comply
2 with these requirements and keep a record of the drills.

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

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

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

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

1 material or the presence of a potentially dangerous individual on
2 or near the premises. The governing body of a school shall seek
3 input from the administration of the school and local public safety
4 officials on the nature of the drills to be conducted under this
5 subsection.

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

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

20 (a) The name of the school.

21 (b) The school year of the drill.

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

23 (d) The type of drill completed.

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

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

29 (g) The name of the individual in charge of conducting the

1 drill, if other than the school principal.

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

1 exempt from disclosure under the freedom of information act, 1976
2 PA 442, MCL 15.231 to 15.246.

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

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

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

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

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

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

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

28 ~~(d) If the school includes grades 9 to 12, a training plan for~~
29 ~~the use of an automated external defibrillator and in~~

1 ~~cardiopulmonary resuscitation techniques.~~

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

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

7 (12) ~~(13)~~ As used in this section:

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

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

13 **Sec. 19b. (1) Beginning with the 2025-2026 school year, the**
 14 **governing body of a public school shall develop a cardiac emergency**
 15 **response plan that includes the use of school personnel to respond**
 16 **to a sudden cardiac arrest, or another similar life-threatening**
 17 **emergency, on the school's campus.**

18 (2) Beginning with the 2025-2026 school year, the governing
 19 body of a public school with an athletic department or organized
 20 athletic program shall develop a cardiac emergency response plan
 21 that includes the use of school personnel to respond to a sudden
 22 cardiac arrest, or another similar life-threatening emergency, at a
 23 school-sponsored athletic event.

24 (3) A cardiac emergency response plan required under this
 25 section must be based on American Heart Association guidelines or
 26 other nationally recognized and evidence-based guidelines. The
 27 cardiac emergency response plan must provide for, but is not
 28 limited to, all of the following:

29 (a) The establishment of a cardiac emergency response team.

1 (b) The activation of the cardiac emergency response team
2 during a sudden cardiac arrest or another similar life-threatening
3 emergency.

4 (c) The placement of automated external defibrillators
5 throughout the school's campus and athletic facilities in
6 accordance with American Heart Association guidelines, including,
7 but not limited to, the requirement that automated external
8 defibrillators must be accessible within 1 to 3 minutes of a
9 cardiac emergency.

10 (d) The routine maintenance of the school's automated external
11 defibrillators.

12 (e) The dissemination of the cardiac emergency response plan
13 throughout the school's campus.

14 (f) The ongoing training of school personnel as described in
15 subsection (4).

16 (g) The use of annual drills to practice the steps established
17 in the cardiac emergency response plan.

18 (h) The integration of the cardiac emergency response plan
19 with the local emergency response system and emergency response
20 agencies.

21 (i) The ongoing and annual review of the cardiac emergency
22 response plan.

23 (4) Public school personnel that are included in a cardiac
24 emergency response plan required under this section must be trained
25 in all of the following:

26 (a) Cardiopulmonary resuscitation.

27 (b) First aid.

28 (c) The use of an automated external defibrillator, in
29 accordance with American Heart Association guidelines.

1 (5) The governing body of a public school and the local
2 emergency response system and emergency response agencies shall
3 integrate the school's cardiac emergency response plan or plans
4 into the protocols of the local emergency response system and
5 emergency response agencies.

6 (6) The legislature shall annually appropriate to the
7 department of education an amount sufficient to administer and
8 comply with this section. Schools are not required to comply with
9 this section unless the legislature has appropriated sufficient
10 funds to implement the requirements of this section.

11 (7) As used in this section:

12 (a) "Automated external defibrillator" means a lightweight,
13 portable device that can deliver an electric shock through an
14 individual's chest to the individual's heart to potentially stop an
15 irregular heartbeat, or arrhythmia, and allow normal rhythm to
16 resume after a sudden cardiac arrest.

17 (b) "Cardiac emergency response plan" means a written document
18 that establishes specific steps to reduce the chance of death from
19 sudden cardiac arrest or another similar life-threatening
20 emergency.

21 (c) "Public school" means that term as defined in section 5 of
22 the revised school code, 1976 PA 451, MCL 380.5.

23 (d) "Sudden cardiac arrest" means an incident when an
24 individual's heart malfunctions and unexpectedly stops beating.