

SENATE BILL No. 1108

March 2, 2006, Introduced by Senator GILBERT and referred to the Committee on Education.

A bill to amend 1941 PA 207, entitled
"Fire prevention code,"
by amending the title and section 19 (MCL 29.19), the title as
amended by 1984 PA 314 and section 19 as amended by 1998 PA 45.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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TITLE

An act to provide for the prevention of fires and the
protection of persons and property from exposure to the dangers of
fire or explosion; to authorize the investigation of fires and the
discovery of crime or other offenses in relation thereto; to
require the razing, repair, or alteration of buildings, and the
clearing and improvement of premises which constitute a fire hazard
or a menace to the peace, security, or safety of persons or

1 property; to control the construction, use, and occupancy of ~~these~~
2 buildings and premises ~~for~~ **IN RELATION TO SAFETY, INCLUDING** fire
3 safety; ~~purposes;~~ to provide for the certification of fire
4 inspectors and the delegation of certain powers to those certified
5 fire inspectors; to provide for the regulation of the storage and
6 transportation of hazardous material; to provide for the issuance
7 of certificates; to prohibit the use of certain fire extinguishers
8 and fire extinguishing agents; to provide immunity from liability
9 for certain persons; to provide for the administration **AND**
10 **ENFORCEMENT** of this act; ~~and prescribe procedure for the~~
11 ~~enforcement of its provisions;~~ to ~~fix~~ **PRESCRIBE** penalties; ~~for~~
12 ~~violation of this act;~~ to provide for the promulgation of rules;
13 to provide for the assessment of fees; and to repeal ~~certain~~ acts
14 and parts of acts.

15 Sec. 19. (1) The chief administrative officer and the teachers
16 of all schools, including state supported schools, colleges, and
17 universities and the owner, or owner's representative, of all
18 school dormitories shall, **SUBJECT TO SUBSECTION (2)**, have a fire
19 drill each month and keep all doors and exits unlocked during
20 school hours, and when the school is open to the public. Each
21 teacher in a school, including a state supported school, college,
22 or university and the owner or owner's representative of a
23 dormitory shall comply with these requirements and keep a record of
24 the drills.

25 (2) A minimum of 8 fire drills is required for each school
26 year. If weather conditions do not permit fire drills to be held at
27 least once a month, then at least 5 fire drills shall be held in

1 the fall of each year and 3 fire drills shall be held during the
2 remaining part of the school year.

3 (3) A minimum of 2 tornado safety drills is required for each
4 school year at the schools and facilities described in subsection
5 (1). These drills shall be conducted for the purpose of preventing
6 fires and related hazards and injuries caused by severe weather.

7 (4) **ONE OR MORE TERRORISM DRILLS, AS DETERMINED BY THE**
8 **GOVERNING BODY OF A SCHOOL, COLLEGE, OR UNIVERSITY, OR THE OWNER OF**
9 **A SCHOOL DORMITORY, ACTING WITH THE ADVICE OF THE LOCAL EMERGENCY**
10 **MANAGEMENT COORDINATOR, ARE REQUIRED FOR EACH SCHOOL YEAR AT THE**
11 **SCHOOLS AND FACILITIES DESCRIBED IN SUBSECTION (1).**

12 (5) **A SCHOOL OR FACILITY DESCRIBED IN SUBSECTION (1) SHALL**
13 **CONDUCT SOME OF THE DRILLS REQUIRED BY THIS SECTION DURING LUNCH**
14 **AND RECESS PERIODS, OR AT OTHER TIMES WHEN A SIGNIFICANT NUMBER OF**
15 **THE STUDENTS ARE GATHERED BUT NOT IN THE CLASSROOM.**

16 (6) ~~—(4)—~~ The state fire marshal or the chief of the fire
17 department or a fire fighter in uniform acting under orders and
18 directions of the fire chief may cause fire drills to be held in
19 school houses, school dormitories, and other public buildings as
20 the state fire marshal considers advisable. The state fire marshal
21 may order the installation of other protective apparatus or
22 equipment that conforms to recognized and approved modern
23 practices.

24 (7) **AS USED IN THIS SECTION:**

25 (A) **"ACT OF TERRORISM" MEANS THAT TERM AS DEFINED IN SECTION**
26 **543B OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.543B.**

27 (B) **"LOCAL EMERGENCY MANAGEMENT COORDINATOR" MEANS THE LOCAL**

1 EMERGENCY MANAGEMENT COORDINATOR APPOINTED UNDER SECTION 9 OF THE
2 EMERGENCY MANAGEMENT ACT, 1976 PA 390, MCL 30.409.

3 (C) "TERRORISM DRILL" MEANS A DRILL CONDUCTED FOR THE PURPOSE
4 OF PREPARING TO RESPOND TO AN ACT OF TERRORISM.