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BILL



ANALYSIS

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Senate Bill 958 (Substitute S-1)  
Sponsor: Senator Darwin L. Booher  
Committee: Judiciary

Date Completed: 5-21-18

## **CONTENT**

**The bill would amend the Revised School Code to do the following:**

- **Require a school district, intermediate school district (ISD), or public school academy (PSA) to provide a report to the Michigan Department of State Police (MSP) on attempted acts of violence on, or threats of violence on or off, school grounds that were prevented or thwarted.**
- **Require the MSP to compile a report on information reported by the school districts, ISDs, and PSAs, and provide it to the School Safety Commission.**

Specifically, the bill would require a school district, ISD, or PSA, at least annually, to provide a report to the MSP in a form and manner prescribed by the Department on both of the following types of incidents regarding a school operated by the district or PSA:

- An attempted act of violence on school grounds that was prevented or thwarted.
- A threat of violence made on or off school grounds that was directed at a school, school staff, or pupils and the violence was prevented or thwarted.

"Act of violence" would mean a willful and deliberate act that meets either of the following: a) is a violent felony under State law, whether or not committed in the State; or b) is intended to intimidate or coerce a school, school staff, or pupils or affect the operation of a school through intimidation or coercion, and that a reasonable person knows or has reason to know is dangerous to human life. "Violent felony" would mean that term as defined in the Corrections Code. "Dangerous to human life" would mean that term as defined in Section 543b of the Michigan Penal Code: that which causes a substantial likelihood of death or serious injury or that is a violation of Section 349 or 350 (Sections of the Penal Code that prohibit kidnapping or leading or carrying away a child under 14 years old, respectively).

The report would have to include a description of the incident and how it was thwarted or prevented, and exclude the name of the school affected by the incident, the name of any individual involved in the incident, and any other information that would identify the school affected or individual or individuals involved in the incident.

At least annually, the MSP would have to compile a report on the information reported by school districts, ISDs, and PSAs and provide it to the School Safety Commission created under the Comprehensive School Safety Plan Act, in a form and manner the MSP prescribed. (House Bill 5828 (H-1) would enact the Comprehensive School Safety Plan Act to establish the School Safety Commission and require the Commission to, among other things, make

recommendations to the MSP for rules determining school safety measures and metrics to evaluate school safety.)

A report from a school district, ISD, or PSA, or from the MSP, would be exempt from the Freedom of Information Act.

The bill would take effect 90 days after its enactment.

Proposed MCL 380.1308a

Legislative Analyst: Jeff Mann

### **FISCAL IMPACT**

The bill would have a fiscal impact on the MSP and intermediate school districts (ISDs), school districts, and public school academies. The MSP would experience additional costs from processing annual reports from ISDs, school districts, and public school academies.

The MSP currently receives information on incidents related to OK2SAY and passes that information on to the Department of the Attorney General, where it is compiled into an annual report, but the MSP creates no report specific to school violence currently. If a formalized reporting methodology from schools were required, the MSP likely would incur costs for programing that would allow for analysis, synthesis, and deconfliction of data submitted to optimize the quality and usefulness of reports.

Local ISDs, school districts, and public school academies would experience minimal costs associated with providing this information to the MSP. Requiring the report only once a year would keep overall costs down.

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.