

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 5828

A bill to create the comprehensive school safety plan act; to create the school safety commission and provide for its powers and duties; to provide for the powers and duties of certain state and local governmental officers and entities; and to prohibit divulging certain information and prescribe penalties.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "comprehensive school safety plan act".

3 Sec. 3. As used in this act:

4 (a) "Commission" means the school safety commission created in
5 section 5.

6 (b) "Department" means the department of state police.

7 (c) "School" means a public school, nonpublic school, or

1 public school academy as those terms are defined in section 5 of
2 the revised school code, 1976 PA 451, MCL 380.5.

3 (d) "School safety liaison" means the individual designated by
4 a school under section 1241 of the revised school code, 1976 PA
5 451, MCL 380.1241, to work with the commission.

6 Sec. 5. (1) On April 15, 2019, or upon the abolishment of the
7 school safety task force created under Executive Order No. 2018-5,
8 whichever occurs first, the school safety commission is created
9 within the department.

10 (2) The commission shall consist of the following members:

11 (a) The director of the department or his or her designee.

12 (b) The superintendent of public instruction or his or her
13 designee.

14 (c) The director of the department of health and human
15 services or his or her designee.

16 (d) Subject to subsection (3), the school safety task force
17 members appointed by the governor under Executive Order No. 2018-5.

18 (3) After the expiration of the initial term of or for any
19 vacancy arising from the members of the commission described under
20 subsection (2)(d), the governor shall appoint members to a full
21 term or the unexpired term as follows:

22 (a) One individual representing local law enforcement.

23 (b) One individual representing teachers.

24 (c) One individual representing school administrators.

25 (d) One individual who has expertise in behavioral and mental
26 health.

27 (e) One individual recommended by the speaker of the house of

1 representatives.

2 (f) One individual recommended by the senate majority leader.

3 (g) One individual recommended by the minority leader of the
4 house of representatives.

5 (h) One individual recommended by the senate minority leader.

6 (4) Members of the commission shall serve for terms of 4 years
7 or until a successor is appointed, whichever is later, except that
8 of the members first appointed under subsection (3), the 2 members
9 appointed under subsection (3)(a) and (b) shall serve for 1 year,
10 the 2 members appointed under subsection (3)(c) and (d) shall serve
11 for 4 years, and the 4 members appointed under subsection (3)(e) to
12 (h) shall serve for 2 years.

13 (5) If a vacancy occurs on the commission, the governor shall
14 make an appointment for the unexpired term in the same manner as
15 the original appointment under subsection (3).

16 (6) The governor may remove a member of the commission for
17 incompetence, dereliction of duty, malfeasance, misfeasance, or
18 nonfeasance in office, or any other good cause.

19 (7) The first meeting of the commission must be called by the
20 member described under subsection (2)(a). At the first meeting, the
21 commission shall elect from among its members a chairperson and
22 other officers as it considers necessary or appropriate. After the
23 first meeting, the commission shall meet at least quarterly, or
24 more frequently at the call of the chairperson or if requested by 6
25 or more members.

26 (8) A majority of the members of the commission constitute a
27 quorum for the transaction of business at a meeting of the

1 commission. A majority of the members present and serving are
2 required for official action of the commission.

3 (9) The business that the commission may perform must be
4 conducted at a public meeting of the commission held in compliance
5 with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

6 (10) All information obtained by the commission is
7 confidential and is not subject to the freedom of information act,
8 1976 PA 442, MCL 15.231 to 15.246.

9 (11) Members of the commission shall serve without
10 compensation. However, members of the commission may be reimbursed
11 for their actual and necessary expenses incurred in the performance
12 of their official duties as members of the commission.

13 (12) Not more than 90 days after the creation of the
14 commission and every 2 years thereafter, the commission shall
15 review and make recommendations to the office of school safety
16 created by law in implementing this act, including model practices
17 for determining school safety measures. The school safety measures
18 must address at least the following:

19 (a) The development and evaluation of school safety model
20 practices.

21 (b) A review of the statewide school safety information policy
22 and the emergency operations plans.

23 (c) The role of school safety liaisons.

24 (d) The emerging trends in school safety technology.

25 (e) The baseline safety requirements for schools.

26 (f) The baseline hardening measures for new and existing
27 schools.

1 Sec. 7. The department shall promulgate rules to implement
2 this act pursuant to the administrative procedures act of 1969,
3 1969 PA 306, MCL 24.201 to 24.328.

4 Sec. 9. (1) A member of the commission shall not knowingly
5 divulge information designated confidential by section 5 or
6 information that places a school at risk.

7 (2) An individual who violates subsection (1) is guilty of a
8 misdemeanor punishable by imprisonment for not more than 90 days or
9 a fine of \$500.00.

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

12 Enacting section 2. This act does not take effect unless all
13 of the following bills of the 99th Legislature are enacted into
14 law:

15 (a) Senate Bill No. 982.

16 (b) House Bill No. 5829.