

Act No. 548
Public Acts of 2018
Approved by the Governor
December 27, 2018
Filed with the Secretary of State
December 28, 2018
EFFECTIVE DATE: March 28, 2019

**STATE OF MICHIGAN
99TH LEGISLATURE
REGULAR SESSION OF 2018**

Introduced by Rep. Wentworth

ENROLLED HOUSE BILL No. 5828

AN ACT 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:

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

Sec. 3. As used in this act:

(a) “Commission” means the school safety commission created in section 5.

(b) “Department” means the department of state police.

(c) “School” means a public school, nonpublic school, or public school academy as those terms are defined in section 5 of the revised school code, 1976 PA 451, MCL 380.5.

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

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

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

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

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

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

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

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

- (a) One individual representing local law enforcement.
- (b) One individual representing teachers.
- (c) One individual representing school administrators.
- (d) One individual who has expertise in behavioral and mental health.
- (e) One individual recommended by the speaker of the house of representatives.
- (f) One individual recommended by the senate majority leader.
- (g) One individual recommended by the minority leader of the house of representatives.
- (h) One individual recommended by the senate minority leader.

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

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

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

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

(8) A majority of the members of the commission constitute a quorum for the transaction of business at a meeting of the commission. A majority of the members present and serving are required for official action of the commission.

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

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

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

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

- (a) The development and evaluation of school safety model practices.
- (b) A review of the statewide school safety information policy and the emergency operations plans.
- (c) The role of school safety liaisons.
- (d) The emerging trends in school safety technology.
- (e) The baseline safety requirements for schools.
- (f) The baseline hardening measures for new and existing schools.

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

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

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

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

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

- (a) Senate Bill No. 982.
- (b) House Bill No. 5829.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor