**South Carolina General Assembly**

122nd Session, 2017-2018

**A256, R284, S709**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Hembree

Document Path: l:\council\bills\agm\19185wab17.docx

Introduced in the Senate on May 8, 2017

Introduced in the House on April 3, 2018

Last Amended on June 27, 2018

Passed by the General Assembly on June 27, 2018

Governor's Action: July 2, 2018, Signed

Summary: Fire and safety policies

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 5/8/2017 Senate Introduced and read first time ([Senate Journal‑page 5](file:///h%3A%5Csj%5C20170508.docx))

 5/8/2017 Senate Referred to Committee on **Education** ([Senate Journal‑page 5](file:///h%3A%5Csj%5C20170508.docx))

 3/15/2018 Senate Committee report: Favorable with amendment **Education** ([Senate Journal‑page 8](file:///h%3A%5Csj%5C20180315.docx))

 3/28/2018 Senate Amended ([Senate Journal‑page 30](file:///h%3A%5Csj%5C20180328.docx))

 3/28/2018 Senate Read second time ([Senate Journal‑page 30](file:///h%3A%5Csj%5C20180328.docx))

 3/28/2018 Senate Roll call Ayes‑45 Nays‑0 ([Senate Journal‑page 30](file:///h%3A%5Csj%5C20180328.docx))

 3/29/2018 Senate Read third time and sent to House ([Senate Journal‑page 27](file:///h%3A%5Csj%5C20180329.docx))

 4/3/2018 House Introduced and read first time ([House Journal‑page 77](file:///h%3A%5Chj%5C20180403.docx))

 4/3/2018 House Referred to Committee on **Education and Public Works** ([House Journal‑page 77](file:///h%3A%5Chj%5C20180403.docx))

 4/25/2018 House Committee report: Favorable with amendment **Education and Public Works** ([House Journal‑page 80](file:///h%3A%5Chj%5C20180425.docx))

 4/26/2018 House Amended ([House Journal‑page 20](file:///h%3A%5Chj%5C20180426.docx))

 4/26/2018 House Read second time ([House Journal‑page 20](file:///h%3A%5Chj%5C20180426.docx))

 4/26/2018 House Roll call Yeas‑92 Nays‑0 ([House Journal‑page 23](file:///h%3A%5Chj%5C20180426.docx))

 4/26/2018 House Unanimous consent for third reading on next legislative day ([House Journal‑page 24](file:///h%3A%5Chj%5C20180426.docx))

 4/27/2018 House Read third time and returned to Senate with amendments ([House Journal‑page 3](file:///h%3A%5Chj%5C20180427.docx))

 5/10/2018 Senate Non‑concurrence in House amendment ([Senate Journal‑page 55](file:///h%3A%5Csj%5C20180510.docx))

 5/10/2018 Senate Roll call Ayes‑0 Nays‑41 ([Senate Journal‑page 55](file:///h%3A%5Csj%5C20180510.docx))

 5/10/2018 House Conference committee appointed Allison, Pendarvis, Felder ([House Journal‑page 83](file:///h%3A%5Chj%5C20180510.docx))

 5/10/2018 Senate Conference committee appointed Hembree, Turner, Nicholson ([Senate Journal‑page 57](file:///h%3A%5Csj%5C20180510.docx))

 6/27/2018 House Conference report received and adopted ([House Journal‑page 58](file:///h%3A%5Chj%5C20180627.docx))

 6/27/2018 House Roll call Yeas‑109 Nays‑0 ([House Journal‑page 61](file:///h%3A%5Chj%5C20180627.docx))

 6/27/2018 Senate Conference report received and adopted ([Senate Journal‑page 21](file:///h%3A%5Csj%5C20180627.docx))

 6/27/2018 Senate Roll call Ayes‑40 Nays‑1 ([Senate Journal‑page 21](file:///h%3A%5Csj%5C20180627.docx))

 6/27/2018 Senate Ordered enrolled for ratification ([Senate Journal‑page 25](file:///h%3A%5Csj%5C20180627.docx))

 6/28/2018 Ratified R 284

 7/2/2018 Signed By Governor

 7/12/2018 Effective date 07/02/18

 7/12/2018 Act No. 256

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**VERSIONS OF THIS BILL**

[5/8/2017](file:///p%3A%5Cpprever%5C2017-18%5C709_20170508.docx)

[3/15/2018](file:///p%3A%5Cpprever%5C2017-18%5C709_20180315.docx)

[3/28/2018](file:///p%3A%5Cpprever%5C2017-18%5C709_20180328.docx)

[4/25/2018](file:///p%3A%5Cpprever%5C2017-18%5C709_20180425.docx)

[4/26/2018](file:///p%3A%5Cpprever%5C2017-18%5C709_20180426.docx)

[6/27/2018](file:///p%3A%5Cpprever%5C2017-18%5C709_20180627.docx)

(A256, R284, S709)

**AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑17‑160 SO AS TO PROVIDE THE OFFICE OF THE STATE FIRE MARSHAL AND THE STATE DEPARTMENT OF EDUCATION SHALL CREATE MODEL FIRE AND SAFETY POLICY AND PROGRAM GUIDELINES AND MAKE SUCH GUIDELINES AVAILABLE TO PUBLIC SCHOOL DISTRICTS AND CHARTER SCHOOLS BEFORE THE 2019‑2020 SCHOOL YEAR, TO PROVIDE PUBLIC SCHOOL DISTRICTS AND CHARTER SCHOOLS SHALL ADOPT CERTAIN FIRE AND SAFETY POLICIES AND PROGRAMS BEFORE THE 2020‑2021 SCHOOL YEAR AND SUBMIT THESE POLICES AND PROGRAMS TO THE OFFICE OF THE STATE FIRE MARSHAL AND THE STATE DEPARTMENT OF EDUCATION FOR THEIR COLLABORATIVE REVIEW AND COMMENT BEFORE JULY 1, 2021, TO PROVIDE SCHOOL DISTRICTS AND CHARTER SCHOOLS MAY REQUEST RELATED TECHNICAL ASSISTANCE IN THE DEVELOPMENT OF THESE POLICIES AND PROGRAMS, AND TO EXCLUDE CHARTER SCHOOLS THAT PRIMARILY DELIVER INSTRUCTION ONLINE FROM THESE PROVISIONS; TO AMEND SECTION 59‑63‑910, RELATING TO REQUIRED MONTHLY FIRE DRILLS IN PUBLIC SCHOOLS, SO AS TO PROVIDE PUBLIC SCHOOLS INSTEAD SHALL CONDUCT A CERTAIN NUMBER OF FIRE DRILLS, ACTIVE SHOOTER/INTRUDER DRILLS, AND SEVERE WEATHER/EARTHQUAKE DRILLS DURING EACH SEMESTER, TO PROVIDE THE STATE DEPARTMENT OF EDUCATION AND STATE LAW ENFORCEMENT DIVISION SHALL DEVELOP CERTAIN RELATED GUIDELINES AND DEVELOPMENTALLY APPROPRIATE TRAINING MATERIALS IN CONSULTATION WITH THE OFFICE OF THE STATE FIRE MARSHAL AND MENTAL HEALTH PROFESSIONALS EMPLOYED BY SCHOOL DISTRICTS, TO PROVIDE FOR THE PERIODIC UPDATING OF THESE GUIDELINES, TO PROVIDE THESE GUIDELINES MUST BE INCLUDED IN REQUIRED ANNUAL TEACHER COLLEGIAL DEVELOPMENT, AND TO DELETE MONETARY PENALTIES FOR NONCOMPLIANCE BY PUBLIC SCHOOL TEACHERS AND SUPERINTENDENTS; TO AMEND SECTION 59‑63‑920, RELATING TO OBSOLETE COMPLIANCE REPORTING REQUIREMENTS AND MONETARY PENALTIES FOR NONCOMPLIANCE WITH PUBLIC SCHOOL FIRE DRILL REQUIREMENTS, SO AS TO INSTEAD REQUIRE DOCUMENTATION OF COMPLIANCE AND REMOVE THESE MONETARY PENALTIES; TO REPEAL SECTION 59‑63‑930 RELATING TO OBSOLETE REQUIREMENTS THAT COUNTY SUPERINTENDENTS OF EDUCATION PRINT AND POST CERTAIN STATUTES RELATED TO MANDATORY PUBLIC SCHOOL FIRE DRILLS; AND TO REDESIGNATE ARTICLE 9, CHAPTER 63, TITLE 59 AS “SAFETY AND SECURITY DRILLS”.**

Be it enacted by the General Assembly of the State of South Carolina:

**Model fire and safety policy and procedure guidelines**

SECTION 1. Chapter 17, Title 59 of the 1976 Code is amended by adding:

 “Section 59‑17‑160. (A) Prior to the beginning of the 2019‑2020 School Year, the State Department of Education and the Office of the State Fire Marshal shall collaborate and develop model fire and safety policies and program guidelines that must be made available to each school district and charter school in the State. The provisions of this section do not apply to charter schools whose instruction is primarily delivered online.

 (B) Each school district board of trustees and the governing body of each charter school shall adopt a policy and program for school facility fire and safety, including inspections, before the beginning of the 2020‑2021 School Year. The policy and program must:

 (1) be adopted in open meetings in which the public may provide comment on the terms of the policies and programs;

 (2) include routine self‑assessments; and

 (3) be published on the district’s or charter school’s Internet website in a prominent location that is easily accessible by the public.

 (C) Prior to July 1, 2021, each district and charter school shall submit its fire and safety policy and program to the Office of the State Fire Marshal and the State Department of Education. The office and department shall collaborate in the review of the school policies and programs. Within one hundred twenty days of the receipt of a policy or program, the office and department must jointly provide written comments to the district on how the policies and programs may be improved.

 (D) Local school district boards of trustees and charter school governing bodies may request technical assistance in the development of fire and safety policies and programs.”

**Required public school drills, active shooter/intruder drill training**

SECTION 2. Section 59‑63‑910 of the 1976 Code is amended to read:

 “Section 59‑63‑910. (A) All public schools, including charter schools whose instruction is not primarily delivered online, shall conduct fire, active shooter/intruder, and severe weather/earthquake drills. Within each school year, schools must conduct at least two fire drills, two active shooter/intruder drills, and two severe weather/earthquake drills, with at least one of each drill conducted each semester.

 (B) Before August 1, 2018, the State Department of Education and the South Carolina Law Enforcement Division shall develop guidelines for the conduct of active shooter/intruder training required in this section, and developmentally appropriate training materials. The department and the State Law Enforcement Division must consult with school‑employed mental health professionals and the State Fire Marshal in creating and updating the guidelines. These guidelines must be included in annual teacher collegial development required by Section 59‑1‑425(A).”

**School compliance and documentation**

SECTION 3. Section 59‑63‑920 of the 1976 Code is amended to read:

 “Section 59‑63‑920. The principal or charter school leader of each school shall comply with the requirements of Section 59‑63‑910 and document their compliance.”

**Repeal**

SECTION 4. Section 59‑63‑930 of the 1976 Code is repealed.

**Article redesignation**

SECTION 5. Article 9, Chapter 63, Title 59 of the 1976 Code is redesignated “Safety and Security Drills”.

**Time effective**

SECTION 6. This act takes effect upon approval by the Governor.

Ratified the 28th day of June, 2018.

Approved the 2nd day of July, 2018.

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