

SENATE BILL No. 458

By Committee on Ways and Means

4-3

1 AN ACT concerning schools; relating to school safety and security; state
2 fire marshal; emergency preparedness drills; amending K.S.A. 2017
3 Supp. 31-133 and repealing the existing section.
4

5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2017 Supp. 31-133 is hereby amended to read as
7 follows: 31-133. (a) The state fire marshal shall adopt reasonable rules and
8 regulations, consistent with the provisions of this act, for the safeguarding
9 of life and property from fire, explosion and hazardous materials. Such
10 rules and regulations shall include, but not be limited to the following:

11 (1) The keeping, storage, use, sale, handling, transportation or other
12 disposition of highly flammable materials, including crude petroleum or
13 any of its products, natural gas for use in motor vehicles, and of
14 explosives, including gunpowder, dynamite, fireworks and firecrackers;
15 and any such rules and regulations may prescribe the materials and
16 construction of receptacles and buildings to be used for any of such
17 purposes;

18 (2) the transportation of liquid fuel over public highways in order to
19 provide for the public safety in connection therewith;

20 (3) the construction, maintenance and regulation of exits and fire
21 escapes from buildings and all other places in which people work, live or
22 congregate from time to time for any purpose, including apartment houses,
23 as defined by K.S.A. 31-132a, and amendments thereto. Such rules and
24 regulations shall not apply to buildings used wholly as dwelling houses
25 containing no more than two families;

26 (4) the installation and maintenance of equipment intended for fire
27 control, detection and extinguishment in all buildings and other places in
28 which persons work, live or congregate from time to time for any purpose,
29 including apartment houses as defined by K.S.A. 31-132a, and
30 amendments thereto. Such rules and regulations shall not apply to
31 buildings used wholly as dwelling houses containing no more than two
32 families;

33 (5) requiring administrators of public and private schools and
34 educational institutions, except community colleges, colleges and
35 universities, to conduct at least ~~one fire drill each month~~ 16 emergency
36 preparedness drills during the school year at some time during school

1 hours, aside from the regular dismissal at the close of the day's session,
2 and prescribing the manner in which such ~~fire drill~~ *is emergency*
3 *preparedness drills* are to be conducted. *Such emergency preparedness*
4 *drills shall include at least:*

5 (A) *Four fire drills;*

6 (B) *three tornado drills conducted pursuant to the tornado*
7 *procedures established under paragraph (8); and*

8 (C) *nine crisis drills that shall include, but not be limited to, intruder*
9 *response drills and lockdown drills;*

10 (6) procedures for the reporting of fires and explosions occurring
11 within the state and for the investigation thereof;

12 (7) procedures for reporting by health care providers of treatment of
13 second and third degree burn wounds involving 20% or more of the
14 victim's body and requiring hospitalization of the victim, which reporting
15 is hereby authorized notwithstanding any provision of K.S.A. 60-427, and
16 amendments thereto, to the contrary;

17 (8) requiring administrators of public and private schools and
18 educational institutions, except community colleges, colleges and
19 universities, to establish tornado procedures, ~~which procedures shall~~
20 ~~provide for at least three tornado drills to be conducted each year at some~~
21 ~~time during school hours, aside from the regular dismissal at the close of~~
22 ~~the day's session, shall describe the manner in which such tornado drills~~
23 ~~are to be conducted, and that shall be subject to approval by the state fire~~
24 ~~marshal;~~

25 (9) requiring administrators of community colleges, colleges and
26 universities to establish tornado procedures, which procedures shall be
27 subject to approval by the director of the disaster agency of the county;

28 (10) the development and implementation of a statewide system of
29 hazardous materials assessment and response;

30 (11) the use of pyrotechnics, pyrotechnic devices and pyrotechnic
31 materials; and

32 (12) other safeguards, protective measures or means adapted to
33 render inherently safe from the hazards of fire or the loss of life by fire any
34 building or other place in which people work, live or congregate from time
35 to time for any purpose, except buildings used wholly as dwelling houses
36 containing no more than two families.

37 (b) Any rules and regulations of the state fire marshal adopted
38 pursuant to this section may incorporate by reference specific editions, or
39 portions thereof, of nationally recognized fire prevention codes.

40 (c) The rules and regulations adopted pursuant to this section shall
41 allow facilities in service prior to the effective date of such rules and
42 regulations, and not in strict conformity therewith, to continue in service,
43 so long as such facilities are not determined by the state fire marshal to

1 constitute a distinct hazard to life or property. Any such determination
2 shall be subject to the appeal provisions contained in K.S.A. 31-140, and
3 amendments thereto.

4 Sec. 2. K.S.A. 2017 Supp. 31-133 is hereby repealed.

5 Sec. 3. This act shall take effect and be in force from and after its
6 publication in the statute book.