

The House Committee on Public Safety and Homeland Security offers the following substitute to SB 454:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 2 of Title 25 of the Official Code of Georgia Annotated, relating to
2 regulation of fire and other hazards to persons and property generally, so as to authorize the
3 use of temporary door locking devices in public buildings during certain emergency
4 situations; to provide for guidelines for use of such devices; to provide for rules and
5 regulations; to provide for definitions; to amend Article 27 of Chapter 2 of Title 20 of the
6 Official Code of Georgia Annotated, relating to loitering at or disrupting schools, so as to
7 require the local board of education or other governing body of each public and private
8 elementary and secondary school in this state to install key boxes at each school building;
9 to provide for an exception; to provide for the purpose, content, and minimum standards of
10 such key boxes; to provide for policies and procedures; to provide for immunity from civil
11 liability; to provide for related matters; to repeal conflicting laws; and for other purposes.

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

13 **SECTION 1.**

14 Chapter 2 of Title 25 of the Official Code of Georgia Annotated, relating to regulation of fire
15 and other hazards to persons and property generally, is amended by adding a new Code
16 section to read as follows:

S. B. 454 (SUB)

17 "25-2-37.1.

18 (a) As used in this Code section, the term:

19 (1) 'Public building' means any structure which is generally open to members of the
20 public with or without the payment of an admission fee or membership dues including,
21 but not limited to, structures owned, operated, or leased by the state, the United States or
22 any state thereof, any foreign nation, or any political subdivision or authority thereof; any
23 religious organization; any medical facility; any child care learning center; any college,
24 school, or university; or any corporation, partnership, or association.

25 (2) 'Temporary door locking device' means a device that prevents a door from opening,
26 provided that the device:

27 (A) Can be engaged or removed without opening the door and removed with a single
28 operation when engaged;

29 (B) Can be engaged and removed from the egress side of the door without the use of
30 a key and removed from the ingress side of the door with the use of a key or other
31 credential;

32 (C) Does not modify the door closer or any panic hardware or fire exit hardware;

33 (D) Is not permanently mounted to the door assembly; provided, however, that
34 individual parts of the device assembly, including, but not limited to, bolts, stops,
35 brackets, and pins that do not prevent normal function of the door, may be permanently
36 mounted; and

37 (E) Does not affect the fire rating of the door and complies with national fire protection
38 association fire rating standards.

39 (b) A temporary door locking device may be used in a public building to secure a door to
40 a room, or to secure a fire exit, hallway, corridor, or entranceway leading to a fire exit,
41 provided that such device is:

42 (1) Used only during an emergency active threat situation or drill, including, but not
43 limited to, sheltering in place or lockdown;

- 44 (2) Installed at a height not to exceed 48 inches above the floor; and
45 (3) Integrated into building safety plans, drills, and training programs that include
46 in-service training on the use of such devices for building staff, and that such plans and
47 programs are made available to first responders.
48 (c) If a temporary door locking device is to be used for securing a fire exit, hallway,
49 corridor, or entranceway leading to a fire exit, in addition to the requirements under
50 subsection (b) of this Code section, such device shall be approved by the local fire
51 department, local law enforcement agency, state fire marshal, or local fire marshal prior to
52 use.
53 (d) The Commissioner shall adopt rules and regulations necessary to implement the
54 provisions of this Code section."

55 **SECTION 2.**

56 Article 27 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to
57 loitering at or disrupting schools, is amended by adding a new Code section to read as
58 follows:

59 "20-2-1187.

- 60 (a) Unless a local board of education or other governing body has implemented a
61 documented and formal process for the implementation of a rapid access program for first
62 responders that enables the law enforcement officers, who are most likely to be the first to
63 respond to an emergency, with access to any locked external or internal door locks, the
64 local board of education or other governing body of each public and private elementary and
65 secondary school in this state shall provide for the installation at each school of at least one
66 exterior key box that meets or exceeds Underwriters Laboratories Standard 1037.
67 (b) Each key box under subsection (a) of this Code section shall:

68 (1) Be installed at an appropriate location for permitting local law enforcement officers
69 emergency access to such building, the precise location of which shall be determined by
70 such local board of education or other governing body; and

71 (2) Contain such keys and other access control devices as are necessary to access each
72 building and room located on the entire school grounds.

73 (c) The local board of education or other governing body of each public and private
74 elementary and secondary school in this state shall adopt such policies and procedures as
75 are necessary to implement the provisions of this Code section.

76 (d)(1) Local boards of education, other public and private school governing bodies, local
77 school systems, other public and private schools, and local governments and agencies
78 shall be immune from civil liability for any damages arising out of the installation and
79 use of key boxes under subsection (a) of this Code section.

80 (2) Employees of local boards of education, other public and private school governing
81 bodies, local school systems, other public and private schools, and local governments and
82 agencies shall be immune from civil liability for any damages arising out of the
83 installation and use of key boxes under subsection (a) of this Code section unless it is
84 shown that such employee acted with gross negligence or bad faith."

85 **SECTION 3.**

86 All laws and parts of laws in conflict with this Act are repealed.