



## 2019 ASSEMBLY BILL 44

February 28, 2019 - Introduced by Representatives BROOKS, THIESFELDT, JAGLER, KRUG, EDMING, FELZKOWSKI, GUNDRUM, KATSMA, MURPHY, RAMTHUN, WICHGERS, SKOWRONSKI and BORN, cosponsored by Senators STROEBEL, COWLES, KOOYENGA, JACQUE and NASS. Referred to Committee on Criminal Justice and Public Safety.

1     **AN ACT to amend** 60.555, 118.07 (4) (bm) 2. and 118.07 (4) (c); and **to create**  
2             101.14 (1) (d) of the statutes; **relating to:** installation of a barricade device on  
3             an interior door in a school building.

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### *Analysis by the Legislative Reference Bureau*

This bill provides that the Department of Safety and Professional Services may not prohibit, and a city, village, or town may not enact or enforce an ordinance that prohibits, a public or private elementary or secondary school from installing a barricade device on an interior door in the school building. The bill defines a "barricade device" as an anchoring mechanism installed on the interior side of a door that does all of the following:

1. When engaged, secures the door against forced entry.
2. May be disengaged by an individual on the interior side of the door without the use of a key or special tool.
3. May be disengaged by an individual on the exterior side of the door with a key or special tool or by electrical or electronic means.
4. Does not alter any door closer hardware, panic hardware, or fire exit hardware.

The bill also provides that, before installing a barricade device in a school building, a school must obtain approval in writing from the local fire department and local law enforcement agency with jurisdiction over the school building.

Under current law, all school boards and governing bodies of private schools must have a school safety plan in effect that includes certain information and must

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provide school safety plan training to certain persons. The bill requires that a school safety plan also must include guidelines for the use of any barricade device installed in a school building or facility and that school safety plan training must include training on the use of any barricade device installed in a school building or facility.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 60.555 of the statutes is amended to read:

2           **60.555 Fire safety regulations.** Except as provided in s. 101.14 (1) (d) and  
3 (4) (de), the town board, by ordinance, may adopt regulations to prevent, detect, and  
4 suppress fire and related fire hazards. The regulations may include provision for the  
5 inspection, at reasonable times, of property in the town for compliance with  
6 regulations adopted under this section.

7           **SECTION 2.** 101.14 (1) (d) of the statutes is created to read:

8           101.14 (1) (d) 1. In this paragraph:

9           a. "Barricade device" means an anchoring mechanism installed on the interior  
10 side of a door that, when engaged, secures the door against forced entry; that may  
11 be disengaged by an individual on the interior side of the door without the use of a  
12 key or special tool; that may be disengaged by an individual on the exterior side of  
13 the door with a key or special tool or by electrical or electronic means; and that does  
14 not alter any door closer hardware, panic hardware, or fire exit hardware.

15           b. "School" means a public or private elementary or secondary school.

16           2. Notwithstanding par. (a) and s. 101.02 (15) (j), the department may not  
17 prohibit, and, notwithstanding s. 101.02 (7) (a) and (7r), a city, village, or town may  
18 not enact or enforce an ordinance that prohibits, a school from installing a barricade  
19 device on an interior door in the school building.

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1           3. Notwithstanding s. 101.02 (1) (b), the department may not promulgate or  
2 enforce a rule that prohibits a school from installing a barricade device on an interior  
3 door in the school building.

4           4. Notwithstanding s. 101.02 (7) (a) and (7r), if a city, village, or town has in  
5 effect on the effective date of this subdivision .... [LRB inserts date], an ordinance  
6 that prohibits a school from installing a barricade device on an interior door in the  
7 school building, that prohibition does not apply and may not be enforced.

8           5. Before installing a barricade device in a school building, the school shall  
9 obtain approval in writing from the local fire department and local law enforcement  
10 agency with jurisdiction over the school building.

11           **SECTION 3.** 118.07 (4) (bm) 2. of the statutes is amended to read:

12           118.07 (4) (bm) 2. General guidelines specifying procedures for emergency  
13 prevention and mitigation, preparedness, response, and recovery, including  
14 guidelines for the use of any barricade device, as defined in s. 101.14 (1) (d) 1. a.,  
15 installed in a school building or facility.

16           **SECTION 4.** 118.07 (4) (c) of the statutes is amended to read:

17           118.07 (4) (c) The school board or governing body of the private school shall  
18 determine which persons are required to receive school safety plan training and the  
19 frequency of the training. The training shall be based upon the school district's or  
20 private school's prioritized needs, risks, and vulnerabilities and shall include  
21 training on the use of any barricade device, as defined in s. 101.14 (1) (d) 1. a.,  
22 installed in a school building or facility.

23           **SECTION 5. Initial applicability.**

