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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 3160

03/28/2023 Authored by Berg
The bill was read for the first time and referred to the Committee on Education Policy

1.1 A bill for an act
1.2 relating to education; requiring testing of school building doors and locks;
1.3 appropriating money; amending Minnesota Statutes 2022, section 123B.57,
1.4 subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 123B.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2022, section 123B.57, subdivision 6, is amended to read:

1.7 Subd. 6. Health and safety capital projects. (a) Health and safety capital projects may
1.8 include expenditures necessary for the correction of fire and life safety hazards; design,
1.9 purchase, installation, maintenance, and inspection of fire protection and alarm equipment;
1.10 maintenance and inspection of school building exterior doors and automatic locks; purchase
1.11 or construction of appropriate facilities for the storage of combustible and flammable
1.12 materials; inventories and facility modifications not related to a remodeling project to comply
1.13 with lab safety requirements under section 121A.31; inspection, testing, repair, removal or
1.14 encapsulation, and disposal of asbestos-containing building materials; cleanup and disposal
1.15 of polychlorinated biphenyls; cleanup and disposal of hazardous and infectious wastes;
1.16 cleanup, removal, disposal, and repairs related to storing heating fuel or transportation fuels
1.17 such as alcohol, gasoline, fuel oil, and special fuel, as defined in section 296A.01; correction
1.18 of occupational safety and health administration regulated hazards; indoor air quality
1.19 inspections, investigations, and testing; mold abatement; upgrades or replacement of
1.20 mechanical ventilation systems to meet American Society of Heating, Refrigerating and
1.21 Air Conditioning Engineers standards and State Mechanical Code; design, materials, and
1.22 installation of local exhaust ventilation systems, including required make-up air for
1.23 controlling regulated hazardous substances; correction of Department of Health Food Code
1.24 violations; correction of swimming pool hazards excluding depth correction; playground

2.1 safety inspections, repair of unsafe outdoor playground equipment, and the installation of
 2.2 impact surfacing materials; bleacher repair or rebuilding to comply with the order of a
 2.3 building code inspector under section 326B.112; testing and mitigation of elevated radon
 2.4 hazards; lead testing; copper in water testing; cleanup after major weather-related disasters
 2.5 or flooding; reduction of excessive organic and inorganic levels in wells and capping of
 2.6 abandoned wells; installation and testing of boiler backflow valves to prevent contamination
 2.7 of potable water; vaccinations, titers, and preventative supplies for bloodborne pathogen
 2.8 compliance; costs to comply with the Janet B. Johnson Parents' Right to Know Act;
 2.9 automated external defibrillators and other emergency plan equipment and supplies specific
 2.10 to the district's emergency action plan; compliance with the National Emission Standards
 2.11 for Hazardous Air Pollutants for school generators established by the United States
 2.12 Environmental Protection Agency; and health, safety, and environmental management costs
 2.13 associated with implementing the district's health and safety program including costs to
 2.14 establish and operate safety committees, in school buildings or property owned or being
 2.15 acquired by the district. Testing and calibration activities are permitted for existing
 2.16 mechanical ventilation systems at intervals no less than every five years.

2.17 (b) For fiscal years 2014 through 2017, a school district must not include expenses
 2.18 related to emission compliance projects for school generators in its health and safety capital
 2.19 projects unless it reduces its approved spending on other qualified health and safety projects
 2.20 by the same amount.

2.21 **Sec. 2. [123B.573] SCHOOL BUILDING DOORS AND LOCKS.**

2.22 **Subdivision 1. Testing exterior doors and automatic locks.** A public school building
 2.23 must have all exterior doors and automatic locks tested annually by a certifying agency.
 2.24 The commissioner of education must develop a plan to assist school districts in testing
 2.25 exterior doors and automatic locks in each public school building serving students in
 2.26 kindergarten through grade 12. A school district may include testing of exterior doors and
 2.27 locks as part of its health and safety capital projects under section 123B.57, subdivision 6.

2.28 **Subd. 2. Reporting.** A school district that has tested its school building exterior doors
 2.29 and automatic locks must annually report its testing completion to the Department of
 2.30 Education in a form and manner prescribed by the commissioner.

3.1 Sec. 3. APPROPRIATION.

3.2 Subdivision 1. Department of Education. The sums indicated in this section are
3.3 appropriated from the general fund to the Department of Education for the fiscal years
3.4 designated.

3.5 Subd. 2. School building door and lock testing. To test all school building exterior
3.6 doors and automatic locks in every public school building under Minnesota Statutes, section
3.7 123B.573.

3.8 \$ 2024

3.9 \$ 2025