SENATE BILL No. 128

By Committee on Education

AN ACT concerning schools; relating to safety drills; requiring a certain
number of fire, tornado and crisis drills; rules and regulations of the
state fire marshal; amending K.S.A. 2018 Supp. 31-133 and repealing
the existing section.

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

Section 1. K.S.A. 2018 Supp. 31-133 is hereby amended to read as
follows: 31-133. (a) The state fire marshal shall adopt reasonable rules and
regulations, consistent with the provisions of this act, for the safeguarding
of life and property from fire, explosion and hazardous materials. Such
rules and regulations shall include, but not be limited to, the following:

(1) The keeping, storage, use, sale, handling, transportation or other
disposition of highly flammable materials, including crude petroleum or
any of its products, natural gas for use in motor vehicles, and of
explosives, including gunpowder, dynamite, fireworks and firecrackers;
and

Any such rules and regulations may prescribe the materials and
construction of receptacles and buildings to be used for any of such
purposes;

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

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

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

(5) requiring administrators of public and private schools and
educational institutions, except community colleges, colleges and
universities, to conduct at least one fire drill each month.
each school year at some time during school hours, aside from the regular
dismissal at the close of the day's session, and prescribing the manner in
which such fire drill is to be conducted;
(6) procedures for the reporting of fires and explosions occurring
within the state and for the investigation thereof;
(7) procedures for reporting by health-care providers of treatment of
second and third degree burn wounds involving 20% or more of the
victim's body and requiring hospitalization of the victim, which reporting
is hereby authorized notwithstanding any provision of K.S.A. 60-427, and
amendments thereto, to the contrary;
(8) requiring administrators of public and private schools and
educational institutions, except community colleges, colleges and
universities, to establish tornado procedures, which. Such procedures
shall: (A) Provide for at least three two tornado drills to be conducted each
school year, of which one shall be conducted in September and one shall
be conducted in April, at some time during school hours, aside from the
regular dismissal at the close of the day's session, shall; (B) describe the
manner in which such tornado drills are to be conducted; and (C) shall be
subject to approval by the state fire marshal;
(9) requiring administrators of community colleges, colleges and
universities to establish tornado procedures, which procedures shall be
subject to approval by the director of the disaster agency of the county;
(10) the development and implementation of a statewide system of
hazardous materials assessment and response;
(11) the use of pyrotechnics, pyrotechnic devices and pyrotechnic
materials; and
(12) requiring administrators of public and private schools and
educational institutions, except community colleges, colleges and
universities, to conduct at least three crisis drills each school year at some
time during school hours, aside from the regular dismissal at the close of
the day's session. The manner in which such crisis drills are conducted
may be subject to approval by the safe and secure schools unit of the
Kansas department of education; and
(13) other safeguards, protective measures or means adapted to render
inherently safe from the hazards of fire or the loss of life by fire any
building or other place in which people work, live or congregate from time
to time for any purpose, except buildings used wholly as dwelling houses
containing no more than two families.
(b) Any rules and regulations of the state fire marshal adopted
pursuant to this section may incorporate by reference specific editions, or
portions thereof, of nationally recognized fire prevention codes.
(c) The rules and regulations adopted pursuant to this section shall
allow facilities in service prior to the effective date of such rules and
regulations, and not in strict conformity therewith, to continue in service, so long as such facilities are not determined by the state fire marshal to constitute a distinct hazard to life or property. Any such determination shall be subject to the appeal provisions contained in K.S.A. 31-140, and amendments thereto.

Sec. 2. K.S.A. 2018 Supp. 31-133 is hereby repealed.

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