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, four fire drills
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 drills are 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 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.

(d) The state fire marshal may grant an exemption pursuant to K.S.A. 31-136, and amendments thereto, that authorizes a variance for the number or manner of drills conducted pursuant to subsection (a)(5), (8) or (12) for students receiving special education or related services.

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.