

HOUSE BILL 83

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(PRE-FILED)

1lr1392
CF SB 104

By: **Delegate Queen**

Requested: October 30, 2020

Introduced and read first time: January 13, 2021

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 9, 2021

CHAPTER _____

1 AN ACT concerning

2 **Public and Nonpublic Schools – Electric Retractable Room Partitions –**
3 **~~Operation Requirements~~ Review and Report**

4 FOR the purpose of ~~prohibiting public and nonpublic school employees from operating an~~
5 ~~electric retractable room partition in a school except under certain circumstances;~~
6 ~~requiring any annual safety review, evaluation, or exercise for school employees in a~~
7 ~~certain school building to include certain information and demonstrations; requiring~~
8 ~~the State Department of Education to develop and disseminate model safety~~
9 ~~guidelines on the safe operation of electric retractable room partitions; requiring the~~
10 ~~Department to publish model safety guidelines on its public website; defining certain~~
11 ~~terms; requiring the State Department of Education to conduct a thorough review~~
12 and evaluation of certain matters relating to the operation of electric retractable
13 room partitions; requiring the Department to adopt certain regulations or guidelines
14 on or before a certain date under certain circumstances; requiring the Department
15 to report to the Governor and the General Assembly on or before a certain date on
16 its review and actions; and generally relating to electric retractable room partitions
17 and schools.

18 ~~BY adding to~~

19 ~~Article – Education~~

20 ~~Section 7-447~~

21 ~~Annotated Code of Maryland~~

22 ~~(2018 Replacement Volume and 2020 Supplement)~~

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



~~SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:~~

~~Article—Education~~

~~7-447.~~

~~(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
INDICATED.~~

~~(2) “ELECTRIC RETRACTABLE ROOM PARTITION” MEANS A ROOM
PARTITION, DIVIDER, CURTAIN, OR ANY OTHER SIMILAR DEVICE THAT IS OPENED
AND RETRACTED BY OPERATION OF AN ELECTRIC MOTOR.~~

~~(3) “SCHOOL EMPLOYEE” MEANS AN EMPLOYEE OF A PUBLIC SCHOOL
OR NONPUBLIC SCHOOL.~~

~~(B) A SCHOOL EMPLOYEE MAY NOT OPERATE AN ELECTRIC RETRACTABLE
ROOM PARTITION IN A SCHOOL BUILDING UNLESS:~~

~~(1) THE PARTITION INCLUDES A SAFETY SENSOR THAT
AUTOMATICALLY STOPS THE MOVEMENT OF THE PARTITION WHEN A BODY PASSES
BETWEEN THE LEADING EDGE AND A WALL, AN OPPOSING PARTITION, OR THE
STACKING AREA OF THE PARTITION;~~

~~(2) NO STUDENTS ARE PRESENT IN THE SCHOOL BUILDING; OR~~

~~(3) THE ROOM OR AREA WHERE THE PARTITION IS LOCATED IS
LOCKED OR OTHERWISE FREE OF OR INACCESSIBLE TO STUDENTS.~~

~~(C) ANY ANNUAL SAFETY REVIEW, EVALUATION, OR EXERCISE FOR SCHOOL
EMPLOYEES IN A SCHOOL BUILDING WITH AN ELECTRIC RETRACTABLE ROOM
PARTITION SHALL INCLUDE INFORMATION AND DEMONSTRATIONS, AS
APPROPRIATE, REGARDING THE SAFE OPERATION OF THE ELECTRIC RETRACTABLE
ROOM PARTITION IN ACCORDANCE WITH SUBSECTIONS (B) AND (D) OF THIS
SECTION.~~

~~(D) THE DEPARTMENT SHALL:~~

~~(1) DEVELOP AND DISSEMINATE TO EACH COUNTY BOARD AND EACH
NONPUBLIC SCHOOL MODEL SAFETY GUIDELINES REGARDING THE OPERATION OF
ELECTRIC RETRACTABLE ROOM PARTITIONS; AND~~

~~(2) PUBLISH THE MODEL SAFETY GUIDELINES ON ITS PUBLIC
WEBSITE.~~

1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
2 That:

3 (a) The State Department of Education shall conduct a thorough review and
4 evaluation of:

5 (1) the current electric retractable room partition equipment used in public
6 and nonpublic schools throughout the State;

7 (2) the current practices used by staff in public and nonpublic schools
8 throughout the State when operating electric retractable room partitions; and

9 (3) existing policies by public schools, local school systems, and nonpublic
10 schools that govern the operation of electric retractable room partitions.

11 (b) On or before September 1, 2022, after conducting its thorough examination
12 and review, the State Department of Education shall adopt any regulations or guidelines
13 needed to ensure that the operation of electric retractable room partitions in public and
14 nonpublic schools occur in the safest manner possible.

15 (c) On or before December 1, 2022, the State Department of Education shall
16 report to the Governor and, in accordance with § 2-1257 of the State Government Article,
17 the General Assembly on its review and any actions taken under this Act.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
19 1, 2021.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.