



Senate Fiscal Agency  
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BILL



ANALYSIS

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Senate Bills 337, 338, and 339 (as reported without amendment)

Sponsor: Senator Shirley Johnson (Senate Bills 337 & 338)

Senator Michael D. Bishop (Senate Bill 339)

Committee: Local, Urban and State Affairs

Date Completed: 6-4-03

### **RATIONALE**

The State Construction Code requires the installation of smoke alarms in newly constructed buildings and in additions for which a permit is required or where new sleeping areas are created. Some people believe that smoke alarms also should be required in existing structures with multiple dwelling units, such as apartment buildings and tenement houses, where it may be difficult to evacuate people in the event of a fire. Also, it has been suggested that historic buildings should be equipped with smoke detectors.

### **CONTENT**

**The bills would amend various statutes to require that multiple dwelling units be equipped with fire alarm systems, and that the preservation of historic buildings include fire alarm systems.** Under each bill, "fire alarm system" would mean a system designed to detect and annunciate the presence of fire, or byproducts of fire, and would include smoke detectors.

#### **Senate Bill 337**

The bill would amend the Housing Law of Michigan to require each dwelling unit contained within a class A multiple dwelling to be equipped with a fire alarm system. Under the bill, a "dwelling unit" would be one or more rooms used by one or more individuals living together as a single housekeeping unit containing cooking, living, sanitary, and sleeping facilities. (Under the Law, a class A multiple dwelling is a dwelling "occupied more or less permanently for residence purpose by several families", in which cooking, toilet, and kitchen sink accommodations are contained within separate apartments, suites, or groups

of rooms. Class A multiple dwellings include tenement houses, apartment houses, duplex apartments, apartment hotels, and similarly occupied dwellings.)

A person owning or managing a class A multiple dwelling would have to comply with the bill. A person who violated the bill would be guilty of a misdemeanor punishable by a fine of up to \$500, imprisonment for up to 90 days, or both.

A class A multiple dwelling constructed before the bill's effective date would have one year from that date to comply with the bill. An existing building that was converted to a class A multiple dwelling after the bill's effective date would have to comply with the bill subject to the requirements that could be imposed by the Single State Construction Code Act.

Under the bill, the fire alarm system in a dwelling unit would have to comply with the standards prescribed in the National Fire Prevention Code published by the National Fire Prevention Association. The bill also provides that a fire alarm system could be battery operated by a self-motivated battery; operated in a plug-in outlet that was fitted with a plug restrainer device, provided the outlet was not controlled by a switch other than the main electric power supply; or wired directly to the building electric supply and not controlled by a switch other than the main electric power supply.

#### **Senate Bill 338**

The bill would amend the downtown development authority Act to provide that the preservation of facilities, buildings, or

structures determined by a municipality to be historic sites would have to include, at a minimum, equipping the site with a fire alarm system.

Under the Act, a public facility, building, or structure that is determined by the municipality to have significant historical interests must be preserved in a manner considered necessary by the municipality, in accordance with laws relative to the preservation of historical sites.

### **Senate Bill 339**

The bill would amend the Local Historic Districts Act to prohibit a historic district study committee from recommending the establishment of any historic district unless each building, facility, or structure within the proposed district was equipped with a fire alarm system.

Under the Act, a local unit may establish a historic district; that is, an area or group of areas that contains resources that are related by history, architecture, archaeology, engineering, or culture. To establish a historic district, a local unit must appoint a historic district study committee, which must comply with the Act.

Proposed MCL 125.482a (S.B. 337)  
MCL 125.1651 & 125.1679 (S.B. 338)  
399.201a & 399.203 (S.B. 339)

### **ARGUMENTS**

*(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)*

#### **Supporting Argument**

By requiring smoke alarms to be installed in multiple dwelling units, Senate Bill 337 would protect individuals and families who live in apartment buildings, tenement houses, and similar residential structures. The age and building materials of some structures might make them vulnerable to fire, and their design might make them less safe than newer buildings, which are constructed according to contemporary building codes. In some cases, narrow and dim hallways and stairwells, combined with high occupancy, might make it difficult to evacuate residents when a fire occurs, especially if they do not have adequate

warning. The bill could save lives by giving these residents the same protection that is required for people who live in new housing.

Also, the bill would give building owners and managers ample time to comply, and an incentive to do so, since a violation would be a misdemeanor.

#### **Supporting Argument**

By their nature, historic buildings do not conform to modern building standards and are not subject to building code requirements for new construction. Also, due to their designation as historic sites, it is unlikely that these structures will be subject to code requirements for additions. Together, the age, materials, and design of historic buildings may make them inherently unsafe in the event of a fire. By providing for historic sites to be equipped with fire alarms, Senate Bills 338 and 339 would help ensure the safety of individuals who occupy and visit these buildings.

Legislative Analyst: Suzanne Lowe

### **FISCAL IMPACT**

#### **Senate Bill 337**

There are no data to indicate how many offenders would be convicted of violating the bill. Local units of government would incur the costs of misdemeanor probation and incarceration in a local facility, which varies by county. Public libraries would benefit from any additional penal fine revenue collected.

#### **Senate Bills 338 and 339**

The bills would have no fiscal impact on State or local government.

Fiscal Analyst: Bethany Wicksall  
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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.