

Legislative Analysis



SMOKE ALARM BATTERY STANDARD ACT

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<http://www.house.mi.gov/hfa>

House Bill 4382 as introduced
Sponsor: Rep. Mike Mueller
Committee: Regulatory Reform
Complete to 3-15-21

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 4382 would create a new act called the Smoke Alarm Battery Standard Act.

The new act would prohibit, beginning April 1, 2022, the sale, offer for sale, distribution, or importation into the state of a smoke alarm device powered by a replaceable and removable battery. Instead, also beginning April 1, 2022, a device would have to be powered for not less than 10 years by either a nonremovable and nonreplaceable battery (e.g., a lithium ion battery in a sealed unit) or by another power source that utilizes new technology.

The new act would not apply to systems that are hardwired into a building or that are wireless or Wi-Fi connected. Specifically, the bill would exempt the following:

- A fire alarm, smoke detector, or smoke alarm that receives power, or that has an ancillary component that receives power, from an electrical system of a building.
- A fire alarm, smoke detector, or smoke alarm that is electronically connected, or that has an ancillary component that is electronically connected, as part of a centrally monitored or supervised alarm system.
- A fire alarm, smoke detector, or smoke alarm that uses, or that has an ancillary component that uses, one or more of the following:
 - A low-power radio frequency wireless communication signal.
 - Wi-Fi or other wireless local area networking capability to send and receive notifications to and from the internet.
- Any other smoke alarm device with equivalent characteristics to a device described above, as determined by rules that the bill would allow the Department of Licensing and Regulatory Affairs (LARA) to promulgate in consultation with the state fire marshal under the Administrative Procedures Act.

The new act would apply to a *person* selling, offering to sell, distributing, or importing a smoke alarm device on or after April 1, 2022.

Person would mean an individual, estate, business or nonprofit entity, public corporation, government or governmental subdivision, agency, or instrumentality, or other legal entity.

BACKGROUND:

House Bill 4382 is virtually identical to HB 5407 of the 2019-20 legislative session, which was passed by the House of Representatives in June of 2020.

FISCAL IMPACT:

House Bill 4382 would not have an appreciable fiscal impact on LARA or any other unit of state or local government. The bill would allow LARA to promulgate rules but this would not create a fiscal impact for the department.

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