

Department of Legislative Services
Maryland General Assembly
2018 Session

FISCAL AND POLICY NOTE
Enrolled - Revised

Senate Bill 728

(Senator King, *et al.*)

Judicial Proceedings

Environment and Transportation

Public Safety - Battery Operated Smoke Alarms

This bill prohibits a person from selling a battery operated smoke alarm in the State for use in sleeping areas of residential occupancies unless the smoke alarm is a sealed, tamper resistant unit incorporating a silence/hush button and using one or more “long-life batteries.” The bill defines a “long-life battery” as a nonrechargeable, nonreplaceable primary battery that is capable of operating a smoke alarm for 10 years or more in the normal condition. A person who violates the bill’s prohibition is subject to a fine of up to \$1,000.

The bill does not apply to a fire alarm, smoke detector, smoke alarm, or ancillary component that is (1) electronically connected as a part of a listed centrally monitored or supervised alarm system; (2) capable of sending and receiving notifications, as specified; or (3) any other device that the State Fire Marshal exempts through regulation.

Fiscal Summary

State Effect: The bill is not anticipated to materially affect State finances or operations.

Local Effect: The bill is not anticipated to materially affect local finances or operations.

Small Business Effect: Minimal.

Analysis

Current Law: Depending on the date of construction, there are various requirements for the types and placement of smoke alarms in each sleeping area within each residential occupancy, including one- and two-family dwellings, lodging or rooming houses, hotels,

dormitories, and apartment buildings. Landlords and property owners are generally responsible for the proper installation, repair, maintenance, and replacement of required smoke alarms. Local jurisdictions may adopt smoke alarm regulations that are more stringent than State law.

For all new residential units constructed after July 1, 2013, at least one smoke alarm must be installed in each sleeping room, in the hallway or common area outside of sleeping rooms, and in the hallway or common area on each level within a residential dwelling unit, including basements and excluding specified unoccupied spaces such as attics.

Smoke alarms must be upgraded in single-family rentals if the existing alarms are more than 10 years old, fail to operate or malfunction, or if there is a change in tenancy and the residence has not been previously equipped with sealed, long-life battery smoke alarms.

By January 1, 2018, smoke alarm placement in existing residential occupancies must be upgraded to comply with minimum specified standards, including the number and placement of alarms and alarm requirements.

A person who violates these requirements is guilty of a misdemeanor and on conviction is subject to imprisonment of up to 10 days or a fine of up to \$1,000, or both.

Additional Information

Prior Introductions: None.

Cross File: HB 810 (Delegate Ebersole, *et al.*) - Environment and Transportation.

Information Source(s): Department of Housing and Community Development; Department of State Police; Department of Legislative Services

Fiscal Note History: First Reader - February 19, 2018
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