



Senate Fiscal Agency
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Senate Bill 328 (Substitute S-1 as reported)

Sponsor: Senator Kevin Hertel

Committee: Regulatory Affairs

CONTENT

The bill would enact the "Smoke Alarm Battery Standard Act" to do the following:

- Prohibit a person from distributing, selling, offering for sale, or importing a smoke alarm device powered by a replaceable and removeable battery.
- Require, beginning 18 months after the Act's effective date, a smoke alarm device that was distributed, sold, offered for sale, or imported to be powered for at least 10 years by a nonremovable and nonreplaceable battery or another power source that used new technology.
- Specify that a person that violated the Act would be responsible for a State civil infraction and could be ordered to pay a maximum fine of \$500.
- Specify that the battery and power source requirements would not apply to the devices specified in the Act.

BRIEF RATIONALE

According to testimony before the Senate Committee on Regulatory Affairs, three out of five home fire deaths are caused by fires in properties with no smoke alarms or inoperative smoke alarms. It has been suggested that vendors only sell devices that are tamperproof and must be fully replaced every 10 years for the safety of consumers.

Legislative Analyst: Eleni Lionas

FISCAL IMPACT

The bill could have a positive fiscal impact on the State and local units of government. The bill would impose a civil fine of up to \$500. Revenue collected from civil fines is used to support local libraries. Additionally, \$10 of the civil fine would be deposited into the State Justice System Fund. This Fund supports justice-related activities across State government in the Departments of Corrections, Health and Human Services, State Police, and Treasury. The Fund also supports justice-related issues in the Legislative Retirement System and the Judiciary. The amount of revenue to the State or for local libraries is indeterminate and dependent on the actual number of violations.

Current appropriations would be sufficient for the Department of Licensing and Regulatory Affairs to promulgate rules as required under the bill. It is possible that additional costs related to inspections could be incurred to ensure compliance with the bill, but most activity likely would be covered by existing appropriations

Date Completed: 10-9-23

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