

SENATE BILL NO. 328

May 04, 2023, Introduced by Senators HERTEL, WOJNO, SANTANA, CHERRY, GEISS, MCMORROW and ANTHONY and referred to the Committee on Regulatory Affairs.

A bill to require certain standards for smoke alarm and certain other devices; to prohibit certain conduct and prescribe civil sanctions; to authorize the promulgation of rules; and to provide for the powers and duties of certain state governmental officers and entities.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act may be cited as the "smoke alarm battery
2 standard act".

3 Sec. 3. (1) Except as provided under subsection (4), beginning
4 18 months after the effective date of this act, a person shall not

1 distribute, sell, offer for sale, or import a smoke alarm device
2 that fails to meet the battery and power source standards under
3 subsection (3).

4 (2) A person that violates subsection (1) is responsible for a
5 state civil infraction and may be ordered to pay a civil fine of
6 not more than \$1,000.00.

7 (3) Except as provided under subsection (4), beginning 18
8 months after the effective date of this act, a smoke alarm device
9 that is distributed, sold, offered for sale, or imported must not
10 be powered by a replaceable and removable battery. The smoke alarm
11 device must be powered for not less than 10 years by 1 of the
12 following:

13 (a) A nonremovable and nonreplaceable battery.

14 (b) Another power source that utilizes new technology.

15 (4) The battery and power source standards under subsection
16 (3) do not apply to any of the following devices:

17 (a) A fire alarm, smoke detector, or smoke alarm that receives
18 power from an electrical system of a building, or is electronically
19 connected as part of a centrally monitored or supervised alarm
20 system.

21 (b) A fire alarm, smoke detector, or smoke alarm with an
22 ancillary component that receives power from an electrical system
23 of a building, or with an ancillary component that is
24 electronically connected as part of a centrally monitored or
25 supervised alarm system.

26 (c) A fire alarm, smoke detector, or smoke alarm, or a fire
27 alarm, smoke detector, or smoke alarm with an ancillary component,
28 that uses 1 or more of the following:

29 (i) A low-power radio frequency wireless communication signal.

1 (ii) Wi-Fi or other wireless local area networking capability
2 to send and receive notifications to and from the internet.

3 (d) Any other smoke alarm device with equivalent
4 characteristics to a device listed under subdivision (a), (b), or
5 (c) as determined by rules promulgated under subsection (5).

6 (5) The department of licensing and regulatory affairs, in
7 consultation with the state fire marshal, may promulgate rules
8 under the administrative procedures act of 1969, 1969 PA 306, MCL
9 24.201 to 24.328, to implement subsection (4)(d).

10 (6) As used in this section, "person" means an individual,
11 estate, business or nonprofit entity, public corporation,
12 government or governmental subdivision, agency, or instrumentality,
13 or other legal entity.