



www.lsc.ohio.gov

OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

H.B. 271
133rd General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Rep. Baldrige

Andrew Little, Attorney

SUMMARY

- Requires the State Fire Marshal and Board of Building Standards to adopt rules requiring installation of sealed battery smoke detectors, with a ten-year battery life, in residential buildings when certain events occur.

DETAILED ANALYSIS

The bill requires the State Fire Marshal and Board of Building Standards to adopt rules requiring installation of sealed battery smoke detectors in residential buildings when particular events occur. A “**sealed battery smoke detector**” is a smoke detector with a tamper resistant housing that is powered by a nonreplaceable and nonremovable energy source capable of powering the device for at least ten years after its manufacture.¹

The rules must be included in the State Fire Code, the Nonresidential Building Code, and the Residential Building Code and apply to residential buildings that rely on battery operated, as opposed to hard-wired, smoke detectors to meet the State Fire Code’s standards for smoke detectors. (See **COMMENT.**) Those rules must require sealed battery smoke detectors when any of the following occur:

- Ten years pass from an existing smoke detector’s date of manufacture;
- An existing smoke detector malfunctions or fails to respond to a function test;
- Ownership of owner-occupied residential premises changes, and sealed battery smoke detectors that are less than ten years old are not already installed;

¹ R.C. 3737.82(E)(1) and 3781.21(A)(1).

- A new tenant is scheduled to take possession of premises pursuant to a rental agreement subject to the Ohio Landlord-Tenant Act and sealed battery smoke detectors that are less than ten years old are not already installed;
- Alterations or repairs requiring plan approval are made and smoke detectors that are hard-wired into the building's electrical supply are not required as a result of those alterations or repairs.²

Once the rules imposing those new standards will be enforced through the normal enforcement procedures for the Ohio Fire Code and the Residential and Nonresidential Building Codes. Actions taken with respect to the Ohio Fire Code may include the issuance of citations or notices to remedy in lieu of citations, orders to vacate the premises, actions for injunctions, stop work orders, civil penalties of up to \$1,000, and misdemeanor convictions for knowing violations. With respect to the building codes, enforcement actions may include stop work orders, denial of certificates of occupancy, fines of up to \$500, and misdemeanor convictions.³

COMMENT

The bill requires the Board of Building Standards to adopt rules in the Nonresidential Building Code and Residential Building Code dealing with smoke detectors installed to meet the requirements of the Ohio Fire Code. A technical amendment is suggested to make the requirements the Board of Building Standards is to address those of the Residential and Nonresidential Building Codes, rather than those in the Ohio Fire Code.

HISTORY

Action	Date
Introduced	06-04-19

H0271-I-133/ec

² R.C. 3737.82(B) and (C) and 3781.21(B) and (C).

³ R.C. 3737.42, 3737.43, 3737.51, 3737.99, 3791.04, and 3791.99 and Ohio Administrative Code (O.A.C.) 1301:7-7-01, 4101:1-1-01, and 4101:8-1-01, not in the bill.