



**Senate Bill 124
An Act Requiring Smoke Detectors in Residential Buildings**

Testimony of Commissioner Melody A. Currey

**Public Safety & Security Committee
March 1, 2016**

The Department of Administrative Services (DAS) houses the Office of the State Fire Marshal and the Office of the State Building Inspector, which are responsible for State Fire Safety Code, State Fire Prevention Code, the State Building Code and other code-related matters. DAS offers the following comments on Senate Bill 124, An Act Requiring Smoke Detectors in Residential Buildings.

C.G.S. § 29-292 requires the State Fire Marshal, in consultation with the Codes and Standards Committee, to adopt and administer a Fire Safety Code. Currently, the statute dictates that the Fire Safety Code shall "provide for reasonable safety from fire, smoke, and panic therefrom, in all buildings and areas adjacent thereto except in private dwellings occupied by one or two families..." (Emphasis added.)

The statute further requires that the Code include provisions for the following:

- Carbon monoxide detection and warning equipment in new non-exempt residential buildings for which a building permit for new occupancy is issued on or after October 1, 2005, and
- Smoke detection and warning equipment in residential buildings designed to be occupied by two or more families;
- Equipment complying with the Fire Safety Code in new residential buildings designed to be occupied by one family for which a building permit for new occupancy was issued on or after October 1, 1978 requiring; and
- Equipment capable of operation using alternating current and batteries in new residential buildings designed to be occupied by one or more families for which a building permit for new occupancy was issued on or after October 1, 1985.

Senate Bill 124 amends C.G.S. § 29-292 to remove the exemption for one- and two-family from the existing Code requirements, as well as the provisions establishing different requirements for residences based upon the age of the building. It replaces those provisions with new language requiring all residential buildings to have smoke detection and warning equipment and specifying the type and location of the equipment to be installed.



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While DAS agrees that having smoke detection and warning equipment in homes saves lives and should be encouraged, we are concerned about the unintended consequences of this bill. By removing the exemption for one- and two-family homes, SB 124 may subject those homes to additional requirements beyond simply the smoke detection warning equipment requirements.

DAS is also concerned that SB 124 creates an unenforceable mandate, as fire marshals and building inspectors do not have any authority to inspect already-built one- and two-family homes. Fire marshals and building inspectors may be exposed to liability for failing to enforce these new requirements when they have no legal right of entry to conduct the inspections.

Thank you for allowing DAS to provide comment on this bill.