



**Dan Acton**  
**HB 304 Interested Party Testimony**  
**House Commerce & Labor Committee**  
**January 26, 2022**

Chairman Stein, Vice Chairman Johnson, Ranking Member Lepore-Hagan and members of the committee, my name is Dan Acton and I am the Government Affairs Director of the Ohio Real Estate Investors Association (OREIA). OREIA represents 13 local chapters across Ohio with nearly 3,000 members consisting of the smaller real estate investors and housing providers who typically own single family housing units. My background includes more than 30 years in the property management and ownership industry. Thank you for allowing me to provide testimony on House Bill 304, which revises current laws regarding smoke alarms in residential premises.

OREIA appreciates the efforts of Representative Baldrige for working to address various concerns that were contained in previous versions of this legislation.

HB 304 requires the State Fire Marshal and Board of Building Standards to adopt rules requiring installation of sealed battery smoke alarms with a ten-year battery life in residential buildings when the following occurs:

- Ten years pass after an existing smoke alarm's date of manufacture or when an existing smoke alarm malfunctions or fails to respond to function tests.
- Ownership of owner-occupied residential premises changes, and sealed battery smoke alarms that are within ten years of their date of manufacture are not already installed.
- A new tenant is scheduled to take possession of residential premises pursuant to a rental agreement and sealed battery smoke alarms that are within ten years of their date of manufacture are not already installed.
- Alterations or repairs requiring plan approval are made, and smoke alarms that receive power primarily from the building's electrical system are not required as a result of those alterations or repairs.

OREIA remains committed to ensuring that Ohio's renters have access to the safest and most economically suitable living arrangements to fit their needs.

We support the provision allowing for residential rental premises already containing sealed battery smoke alarms (that are within ten years of their date of manufacture) to remain installed until the ten years expires. However, we are concerned about the administrative burden this places on our members who own multiple residential premises. Keeping track of the manufacture dates for every smoke alarm installed across multiple residential premises presents a list of challenges on its own.

To address this concern, we would like to propose that smoke alarm manufacturers create a product registry system that would keep track of the manufacture dates for smoke alarms that property owners purchase—similar to registering new appliances purchased by consumers. This could also incentivize the manufacturers to provide updates to the purchasers when the expiration date of a smoke alarm is approaching, and could potentially allow for continued purchases of their products through coupons or other “loyalty” incentives. More importantly to the purchasers, this would allow smoke alarm manufacturers to alert consumers of any recall notices on defective units, streamlining what is already an arduous process. Obviously, it would be incumbent upon the property owners to register each smoke alarm, but we believe a product registry would make it easier to keep track of their duty to replace expired smoke alarms in each of the residential premises they own. While this is not something that would be required in statute, we believe this would only help maintain the spirit of the bill—keeping Ohioans safe.

OREIA also remains concerned about possible future updates to the State Fire Code and Building Code which would require certain types of smoke alarms to be used over another. We are aware that the Department of Commerce is considering updates to the State’s Building Code and Fire Codes, and changes to smoke alarms are being considered in those proposed changes. While advancements in technology have led to improvements in smoke alarms and have undoubtedly saved hundreds of lives, there are differences in costs associated with various types of technology used in smoke alarms. Requiring one type of technology over another could potentially render tens of thousands of units obsolete with the stroke of an administrative pen, thus leading to exorbitant costs for the property owners who would be compelled to replace each unit. Photoelectric smoke alarms, for example, typically cost about twice as much as ionization smoke alarms.

We are thankful to the bill sponsor and the committee for their thoughtful consideration of this important and life-saving piece of legislation. I would be happy to answer any questions the committee may have at this time.