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# A BILL FOR AN ACT

RELATING TO PUBLIC SAFETY.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. The legislature finds that smoke alarms, when  
2 properly installed and maintained, play a vital role in reducing  
3 fire deaths and injuries. When there is a fire, smoke spreads  
4 fast and working smoke alarms give people an early warning so they  
5 can escape quickly. Smoke alarms are a key part of a home fire  
6 escape plan.

7       The purpose of this Act is to require:

8       (1) Property owners of residential real property that are  
9 wholly or partially occupied for residential purposes to  
10 disclose, as part of the mandatory seller disclosures in  
11 real estate transactions, whether the installed smoke  
12 alarm in the residential real property is in  
13 accordance with existing building or residential codes  
14 based on information provided by the state fire  
15 council; and

16       (2) The state fire council to create and maintain an  
17 informational guide on approved smoke alarms that are



1 in accordance with existing state or county building  
2 or residential codes and post the informational guide  
3 on the state fire council's website and each county  
4 fire department's website.

5 SECTION 2. Chapter 508D, Hawaii Revised Statutes, is amended  
6 by adding a new section to be appropriately designated and to read  
7 as follows:

8 **"§508D- Smoke alarms; residential real property.**

9 Notwithstanding any law to the contrary, a property owner of a  
10 residential real property that is wholly or partially occupied  
11 for residential purposes shall include, as part of the seller's  
12 disclosure statement on the real estate purchase contract,  
13 whether the installed smoke alarm in the residential real  
14 property is in accordance with existing state or county building  
15 or residential codes based on information provided by the state  
16 fire council pursuant to section 132-16(d)."

17 SECTION 3. Section 132-16, Hawaii Revised Statutes, is  
18 amended to read as follows:

19 **"§132-16 State fire council; composition; functions. (a)**

20 There is established a state fire council which shall be placed  
21 within the department of labor and industrial relations for



1 administrative purposes. The state fire council shall consist  
2 of the fire chiefs of the counties. The state fire council may  
3 appoint an advisory committee to assist it in carrying out its  
4 functions under this chapter. The advisory committee may  
5 include the heads of the various county building departments, a  
6 licensed architect recommended by the Hawaii Society of the  
7 American Institute of Architects, a licensed electrical engineer  
8 and a licensed mechanical engineer recommended by the Consulting  
9 Engineers Council of Hawaii, a representative of the Hawaii  
10 Rating Bureau, a representative of the Hawaii firefighters  
11 association, representatives of the county fire departments, and  
12 such other members of the public as the state fire council may  
13 determine can best assist it. The state fire council shall  
14 elect a chairperson from among its members.

15 (b) In addition to adopting a state fire code pursuant to  
16 section 132-3, the state fire council shall:

17 (1) Administer the requirements for reduced ignition  
18 propensity cigarettes, in accordance with chapter  
19 132C; and

20 (2) Serve as a focal point through which all applications  
21 to the federal government for federal grant assistance



1 for fire-related projects shall be made. Upon the  
2 receipt of any such federal grants, the state fire  
3 council shall administer those federal grants.

4 (c) The state fire council may also:

5 (1) Appoint advisory committees comprised of  
6 representatives from each county fire department to  
7 assist in drafting the state fire code and  
8 coordinating statewide training, data collection, and  
9 contingency planning needs for firefighters;

10 (2) Advise and assist the county fire departments where  
11 appropriate, may prescribe standard procedures and  
12 forms relating to inspections, investigations, and  
13 reporting of fires, may approve plans for cooperation  
14 among the county fire departments, and may advise the  
15 governor and the legislature with respect to fire  
16 prevention and protection, life safety, and any other  
17 functions or activities for which the various county  
18 fire departments are generally responsible; and

19 (3) Establish, in conformance with the adopted state fire  
20 code and nationally recognized standards, statewide  
21 qualifications and procedures, to be administered by



1 the county fire departments, for testing, certifying,  
2 and credentialing individuals who perform maintenance  
3 and testing of portable fire extinguishers, water-  
4 based fire protection systems, other fire protection  
5 systems, private fire hydrants, and fire alarm  
6 systems; provided that the county fire departments may  
7 establish and charge reasonable certification fees.

8 (d) The state fire council shall create and maintain an  
9 informational guide on approved smoke alarms that are in  
10 accordance with existing state or county building or residential  
11 codes. The informational guide shall be prominently posted on  
12 the state fire council website and on each county fire  
13 department website.

14 [~~(d)~~] (e) The state fire council may adopt rules pursuant  
15 to chapter 91 for purposes of this section."

16 SECTION 4. Statutory material to be repealed is bracketed  
17 and stricken. New statutory material is underscored.

18 SECTION 5. This Act shall take effect on November 1, 2022.



**Report Title:**

State Fire Council; Residential Real Property; Smoke Alarms;  
Property Owners; Seller Disclosure Statements; Informational  
Guide

**Description:**

Requires property owners of residential real property to disclose, as part of the mandatory seller disclosures in real estate transactions, whether the installed smoke alarm is in accordance with existing building or residential codes based on information provided by the state fire council. Requires the state fire council to create and maintain an informational guide on approved smoke alarms that are in accordance with existing building or residential codes and post the guide on specified websites. Effective 11/1/2022. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

