

HOUSE BILL REPORT

HB 2595

As Reported by House Committee On:
Civil Rights & Judiciary

Title: An act relating to smoke detection devices.

Brief Description: Concerning smoke detection devices.

Sponsors: Representatives Boehnke, Chapman, Dent, Leavitt, Goehner, Steele and Eslick.

Brief History:

Committee Activity:

Civil Rights & Judiciary: 1/22/20, 2/5/20 [DPS].

Brief Summary of Substitute Bill

- Extends the liability protection for volunteers and nonprofits who assist a buyer of a dwelling unit with the installation of a smoke detection device beyond the real estate context.

HOUSE COMMITTEE ON CIVIL RIGHTS & JUDICIARY

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives Kilduff, Chair; Thai, Vice Chair; Dufault, Assistant Ranking Minority Member; Goodman, Hansen, Kirby, Klippert, Orwall, Peterson, Rude, Valdez, Walen and Ybarra.

Staff: Ingrid Lewis (786-7289).

Background:

Following the sale of a dwelling unit, a seller must provide at least one smoke detection device before the buyer or other person occupies the dwelling unit. A seller is not required to install the smoke detection device in the dwelling unit.

There are a variety of statutes that provide some form of immunity from liability to certain persons or entities. A nonprofit or person who voluntarily assists the buyer of a dwelling unit with the installation of a smoke detection device is not liable in a proceeding related to the

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installation of the device. This protection against liability applies only in the context of real estate transactions.

Uniform Regulation of Business and Professions Act

The Uniform Regulation of Business and Professions Act governs the licensure and discipline of certain business professions licensed by the Department of Licensing and consolidates disciplinary procedures for those businesses and professions.

Summary of Substitute Bill:

The provision providing liability protection to a nonprofit or person who voluntarily assists in the installation of a smoke detection device in a dwelling in the context of a real estate transaction is expanded to apply to all situations. Liability does not extend to an installation that constitutes gross negligence or willful or wanton misconduct. An applicant or licensee of a regulated profession who in the installation has engaged in unprofessional conduct as defined in the Uniform Regulation of Business and Professions Act (Act) may be subject to disciplinary action under the Act.

Substitute Bill Compared to Original Bill:

The substitute bill excludes gross negligence or willful or wanton misconduct from the immunity provision and provides that an applicant or licensee subject to the Uniform Regulation of Business and Professions Act may be subject to disciplinary action if he or she engaged in unprofessional conduct in the installation of a smoke detection device.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) The average number of fire deaths has decreased since 1977 from 7,000 to 3,000 deaths per year. All Washingtonians deserve to live and work in the safest environment possible. Firefighters save lives, as does the installation of smoke and carbon monoxide detectors. Early warning detection can save lives and gets people away from the threat of a fire. This bill extends liability protection for any volunteer or nonprofit that assists in the installation of a smoke detector in a dwelling unit. This may help with homelessness.

(Opposed) None.

Persons Testifying: Representative Boehnke, prime sponsor.

Persons Signed In To Testify But Not Testifying: None.