
SENATE BILL 5329

State of Washington

69th Legislature

2025 Regular Session

By Senators Lias, Boehnke, Nobles, and Wagoner

Read first time 01/17/25. Referred to Committee on Housing.

1 AN ACT Relating to enforcement of laws regulating the
2 installation of smoke detection devices; and amending RCW 43.44.110.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 43.44.110 and 2019 c 455 s 1 are each amended to
5 read as follows:

6 (1) Smoke detection devices shall be installed inside all
7 dwelling units:

8 (a) Occupied by persons other than the owner on and after
9 December 31, 1981;

10 (b) Built or manufactured in this state after December 31, 1980;
11 or

12 (c) Sold on or after July 1, 2019.

13 (2) The smoke detection devices shall be designed, manufactured,
14 and installed inside dwelling units in conformance with:

15 (a) Nationally accepted standards; and

16 (b) As provided by the administrative procedure act, chapter
17 34.05 RCW, rules and regulations promulgated by the chief of the
18 Washington state patrol, through the director of fire protection.

19 (3) Installation of smoke detection devices shall be the
20 responsibility of the owner. Maintenance of smoke detection devices,
21 including the replacement of batteries where required for the proper

1 operation of the smoke detection device, shall be the responsibility
2 of the tenant, who shall maintain the device as specified by the
3 manufacturer. At the time of a vacancy, the owner shall insure that
4 the smoke detection device is operational prior to the reoccupancy of
5 the dwelling unit.

6 (4) (a) For any dwelling unit sold on or after July 1, 2019, that
7 does not have at least one smoke detection device, the seller shall
8 provide at least one smoke detection device in the dwelling unit
9 before the buyer or any other person occupies the dwelling unit
10 following such sale. A violation of this subsection does not affect
11 the transfer of the title, ownership, or possession of the dwelling
12 unit.

13 (b) Real estate brokers licensed under chapter 18.85 RCW are not
14 liable in any civil, administrative, or other proceeding for the
15 failure of any seller or other property owner to comply with the
16 requirements of this section.

17 (c) Any person or entity that assists the buyer of a dwelling
18 (~~((unit))~~) unit with installing a smoke detection device, whether
19 they are voluntarily doing so or as a nonprofit, is not liable in any
20 civil, administrative, or other proceeding relating to the
21 installation of the smoke detection device.

22 (d) Interconnection of smoke detection devices is not required
23 where not already present in buildings undergoing repairs undertaken
24 solely as a condition of sale.

25 (5) (a) Except as provided in (b) of this subsection (5), any
26 owner, seller, or tenant failing to comply with this section shall be
27 punished by a fine of not more than (~~((two hundred dollars))~~) \$200.

28 (b) Any owner failing to comply with this section shall be
29 punished by a fine of (~~((five thousand dollars))~~) \$5,000 if, after such
30 failure, a fire causes property damage, personal injury, or death to
31 a tenant or a member of a tenant's household. All moneys received
32 pursuant to (a) or (b) of this subsection, except for administrative
33 costs for enforcing the fine, shall be deposited into the smoke
34 detection device awareness account created in RCW 43.44.115.
35 Enforcement shall occur after a fire occurs and when it is evident
36 that the dwelling unit sold on or after July 1, 2019, did not have at
37 least one smoke detection device. The (~~((following may))~~) Washington
38 state patrol shall enforce this subsection(~~((÷~~

39 ~~((i) The chief of the fire department if the dwelling unit is~~
40 ~~located within a city or town; or~~

1 ~~(ii) The county fire marshal or other fire official so designated~~
2 ~~by the county legislative authority if the dwelling unit is located~~
3 ~~within unincorporated areas of a county)).~~

4 (6) The Washington state patrol shall be responsible for
5 developing education materials regarding requirements and enforcement
6 under this section to share with county fire marshals and other local
7 fire officials.

8 (7) For the purposes of this section:

9 (a) "Dwelling unit" means a single unit providing complete,
10 independent living facilities for one or more persons including
11 permanent provisions for living, sleeping, eating, cooking, and
12 sanitation; and

13 (b) "Smoke detection device" means an assembly incorporating in
14 one unit a device which detects visible or invisible particles of
15 combustion, the control equipment, and the alarm-sounding device,
16 operated from a power supply either in the unit or obtained at the
17 point of installation.

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