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NEW STATE LAW REQUIRES SMOKE ALARMS TO BE RETROFITTED IN ALL BEDROOMS OF RENTAL PROPERTIES

In May 2011, the state legislature passed House Bill 1168 (HB 1168), updating the Texas Property Code to require the installation of smoke alarms in all bedrooms of rental properties throughout the state. The new law requires that bedrooms of rental properties not already equipped with a smoke alarm be retrofitted **not later than January 1, 2013**.

In general, the state law permits retrofitted smoke alarms to be battery powered and does not require interconnection with other smoke alarms for simultaneous alerting. However, there are exceptions that require hard-wired power and interconnection. These exceptions include cases where certain levels of building addition, repair or remodeling take place and when the local code that governed original construction contained such a requirement.

Smoke alarms perform an essential life-safety function, and we ask that jurisdictions throughout the state help us to communicate to rental property owners the importance of complying with this new law. Compliance requires that smoke alarms be located as follows:

- At least one smoke alarm in each bedroom or designated sleeping room
- At least one smoke alarm in any corridor serving more than one bedroom, located in the immediate vicinity of the bedrooms
- At least one smoke alarm on each level of multi-story dwelling units

It should be noted that the text of the new law in Section 92.255 can be read such that smoke alarms are no longer required in common areas of certain dwelling unit configurations. The Texas State Fire Marshal's Office has conferred with representatives of the Texas Apartment Association and others involved in the development of the law and confirmed that this was not intended. The intent of the law was clearly understood to be an expansion of the current requirements for smoke alarms, with no reduction in the locations previously requiring smoke alarm.


Fire Marshal Curtis D Brown

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Date