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Senate Bill 262 (Substitute S-1)
Sponsor: Senator Jeff Irwin
Committee: Regulatory Affairs

Date Completed: 5-17-23

CONTENT

The bill would amend the Fire Prevention Code to modify the standards that flame-resistant materials used for camping tentage must meet.

The bill would take effect 90 days after its enactment.

Section 7b of the Code requires the following items to meet the appropriate requirements for resistance to fire prescribed in the Standard Methods of Fire Tests for Flame Resistant Textiles, Films, National Fire Protection Association (NFPA) No. 701-1969:

- A tent that may be occupied or furnished for public assembly by 50 or more people.
- A tent in which animals are stabled for public exhibition or sale.
- A tent located within a building used by the public.
- All tarpaulins and decorative material used in connection with any of the above.

A safety net or tent used for recreational camping is exempt from Section 7b.

Instead, under the bill, all camping tentage listed above, excluding a safety net or tent used for recreational camping, would have to comply with at least one of the following fire resistance standards:

- NFPA-701 (2023), "Standard Methods of Fire Tests for Flame Propagation of Textiles and Films".
- Another standard that was determined, in rules promulgated by the Bureau of Fire Services (BFS), to be equivalent to the NFPA-701 (2023) Standard.

(The NFPA-701 is a flammability standard written by the NFPA as a voluntary industry specification. According to its website, the NFPA publishes more than 300 consensus codes and standards. This standard is used to assess the flammability of fabric through general flame-retardant test methods.)

The bill would delete references to NFPA No. 701-1969 and would refer to NFPA-701 (2023).

The bill specifies that if a standard was revised after the effective date of the bill, the BFS could take notice of the revision and determine whether the revision related to Section 7b. If the BFS determined the revision related to the Section 7b, the BFS could incorporate the revision by reference in rules promulgated.

MCL 29.7b

BACKGROUND

According to the Department of Licensing and Regulatory Affairs, "camping tentage" means any portable temporary shelter or structure designed to protect persons from the elements or to form an enclosure or screen, all or portion of the covering of which is made of fabric or other pliable materials. This includes camping tents, play tents, recreational vehicle awnings, dining flies and canopies, fabric screen houses, add-a-rooms, ice fishing tents, backpack tents, and camping tent trailers. Tents having less than a 50-person capacity, which were purchased before October 1, 1975, are exempt from the flame-retardant material requirements.

PREVIOUS LEGISLATION

(Please note: This section does not provide a comprehensive account of all previous legislative efforts on the relevant subject matter.)

The bill is similar to Senate Bill 632 of the 2021-2022 Legislative Session. The bill was reported out of the Senate Committee on Regulatory Reform and passed the Senate but received no further action.

Legislative Analyst: Eleni Lionas

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Jonah Houtz

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.