

- SUBJECT:** Relating to the sale and advertisement of portable fire extinguishers.
- COMMITTEE:** Insurance — committee substitute recommended
- VOTE:** 8 ayes — Smithee, Eiland, G. Bonnen, Creighton, Muñoz, Sheets, Taylor, C. Turner
- 1 absent — Morrison
- WITNESSES:** For — (*Registered, but did not testify:* Randy Cain, Texas Fire Chiefs Association)
- Against — None
- On — (*Registered, but did not testify:* Mark Lockerman, Texas Department of Insurance, State Fire Marshall Office)
- BACKGROUND:** All fire extinguishers in Texas are required to carry a label of approval indicating they perform according to their manufacturer’s claims. Fire extinguishers may also be listed by a testing laboratory approved by the Texas Department of Insurance (TDI) if they are tested and meet TDI’s adopted standards.
- DIGEST:** CSHB 2447 would prohibit the use of the terms “portable fire extinguisher” or “fire extinguisher” in the sale or advertisement of a fire suppression device that did not conform to either the National Fire Protection Association’s standard for portable fire extinguishers or a similarly stringent standard.
- The bill would remove the Insurance Code’s licensing exemption from any firm that sold portable fire extinguishers not listed by a TDI-approved testing laboratory. It would also clarify the Insurance Code’s intent to prohibit non-listed fire extinguishers.
- SUPPORTERS SAY:** CSHB 2447 would ensure consumer safety by requiring any fire suppression device marketing itself as a “fire extinguisher” met industry-standard testing requirements. Individuals who purchase alternatives to fire extinguishers may put their and their loved ones’ lives at risk if they equate them with tested fire extinguishers. For example, Consumer

Reports issued a “don’t buy: performance problem” rating to portable aerosol fire sprays and noted that they could actually make some fires worse.

The bill would not prevent manufacturers from selling alternatives to fire extinguishers, but simply would require they were accurately labeled so that consumers would be fully informed about their purchase.

**OPPONENTS  
SAY:**

CSHB 2447 unnecessarily would expand government regulation by attempting to limit the way businesses promote their products. It would be better to allow consumers to exercise choices and the market to determine product labeling within a system of free enterprise.