



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB2728

Introduced 2/21/2013, by Rep. Joe Sosnowski

SYNOPSIS AS INTRODUCED:

425 ILCS 60/3

from Ch. 127 1/2, par. 803

Amends the Smoke Detector Act. In a Section concerning the requirements of smoke detectors installed in a dwelling unit, provides that if a smoke detector is battery powered, then the battery must be non-replaceable, non-removable, and capable of powering the detector for a minimum of 10 years. Creates an exemption for dwelling units and hotels within municipalities with a population over 1,000,000 inhabitants. Effective on January 1, 2014.

LRB098 08579 MGM 38696 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning safety.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Smoke Detector Act is amended by changing
5 Section 3 as follows:

6 (425 ILCS 60/3) (from Ch. 127 1/2, par. 803)

7 Sec. 3. (a) Every dwelling unit or hotel shall be equipped
8 with at least one approved smoke detector in an operating
9 condition within 15 feet of every room used for sleeping
10 purposes. The detector shall be installed on the ceiling and at
11 least 6 inches from any wall, or on a wall located between 4
12 and 6 inches from the ceiling.

13 (b) Every single family residence shall have at least one
14 approved smoke detector installed on every story of the
15 dwelling unit, including basements but not including
16 unoccupied attics. In dwelling units with split levels, a smoke
17 detector installed on the upper level shall suffice for the
18 adjacent lower level if the lower level is less than one full
19 story below the upper level; however, if there is an
20 intervening door between the adjacent levels, a smoke detector
21 shall be installed on each level.

22 (c) Every structure which (1) contains more than one
23 dwelling unit, or (2) contains at least one dwelling unit and

1 is a mixed-use structure, shall contain at least one approved
2 smoke detector at the uppermost ceiling of each interior
3 stairwell. The detector shall be installed on the ceiling, at
4 least 6 inches from the wall, or on a wall located between 4
5 and 6 inches from the ceiling.

6 (d) It shall be the responsibility of the owner of a
7 structure to supply and install all required detectors. The
8 owner shall be responsible for making reasonable efforts to
9 test and maintain detectors in common stairwells and hallways.
10 It shall be the responsibility of a tenant to test and to
11 provide general maintenance for the detectors within the
12 tenant's dwelling unit or rooming unit, and to notify the owner
13 or the authorized agent of the owner in writing of any
14 deficiencies which the tenant cannot correct. The owner shall
15 be responsible for providing one tenant per dwelling unit with
16 written information regarding detector testing and
17 maintenance.

18 The tenant shall be responsible for replacement of any
19 required batteries in the smoke detectors in the tenant's
20 dwelling unit, except that the owner shall ensure that such
21 batteries are in operating condition at the time the tenant
22 takes possession of the dwelling unit. The tenant shall provide
23 the owner or the authorized agent of the owner with access to
24 the dwelling unit to correct any deficiencies in the smoke
25 detector which have been reported in writing to the owner or
26 the authorized agent of the owner.

1 (e) The requirements of this Section shall apply to any
2 dwelling unit in existence on July 1, 1988, beginning on that
3 date. Except as provided in subsections (f) and (g), the smoke
4 detectors required in such dwelling units may be either battery
5 powered, provided the battery is non-replaceable,
6 non-removable, and capable of powering the detector for a
7 minimum of 10 years, or wired into the structure's AC power
8 line, and need not be interconnected.

9 (f) In the case of any dwelling unit that is newly
10 constructed, reconstructed, or substantially remodelled after
11 December 31, 1987, the requirements of this Section shall apply
12 beginning on the first day of occupancy of the dwelling unit
13 after such construction, reconstruction or substantial
14 remodelling. The smoke detectors required in such dwelling unit
15 shall be permanently wired into the structure's AC power line,
16 and if more than one detector is required to be installed
17 within the dwelling unit, the detectors shall be wired so that
18 the actuation of one detector will actuate all the detectors in
19 the dwelling unit.

20 In the case of any dwelling unit that is newly constructed,
21 reconstructed, or substantially remodeled on or after January
22 1, 2011, smoke detectors permanently wired into the structure's
23 AC power line must also maintain an alternative back-up power
24 source, which may be either a battery or batteries or an
25 emergency generator.

26 (g) Every hotel shall be equipped with operational portable

1 smoke-detecting alarm devices for the deaf and hearing impaired
2 of audible and visual design, available for units of occupancy.

3 Specialized smoke-detectors for the deaf and hearing
4 impaired shall be available upon request by guests in such
5 hotels at a rate of at least one such smoke detector per 75
6 occupancy units or portions thereof, not to exceed 5 such smoke
7 detectors per hotel. Incorporation or connection into an
8 existing interior alarm system, so as to be capable of being
9 activated by the system, may be utilized in lieu of the
10 portable alarms.

11 Operators of any hotel shall post conspicuously at the main
12 desk a permanent notice, in letters at least 3 inches in
13 height, stating that smoke detector alarm devices for the deaf
14 and hearing impaired are available. The proprietor may require
15 a refundable deposit for a portable smoke detector not to
16 exceed the cost of the detector.

17 (g-5) A hotel, as defined in this Act, shall be responsible
18 for installing and maintaining smoke detecting equipment.

19 (h) Compliance with an applicable federal, State or local
20 law or building code which requires the installation and
21 maintenance of smoke detectors in a manner different from this
22 Section, but providing a level of safety for occupants which is
23 equal to or greater than that provided by this Section, shall
24 be deemed to be in compliance with this Section, and the
25 requirements of such more stringent law shall govern over the
26 requirements of this Section.

1 (i) The requirements of this Section shall not apply to
2 dwelling units and hotels within municipalities with a
3 population over 1,000,000 inhabitants.

4 (Source: P.A. 96-1292, eff. 1-1-11; 97-447, eff. 1-1-12.)

5 Section 99. Effective date. This Act takes effect January
6 1, 2014.