

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 (Text of Section before amendment by P.A. 100-200)

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

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

23 (c) Every structure which (1) contains more than one

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

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

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

1 owner or the authorized agent of the owner.

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

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

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

25 (g) Every hotel shall be equipped with operational  
26 portable smoke-detecting alarm devices for the deaf and

1 hearing impaired of audible and visual design, available for  
2 units of occupancy.

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

11 Operators of any hotel shall post conspicuously at the  
12 main 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  
18 responsible for installing and maintaining smoke detecting  
19 equipment.

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

1 requirements of this Section.

2 (Source: P.A. 96-1292, eff. 1-1-11; 97-447, eff. 1-1-12;  
3 revised 8-19-20.)

4 (Text of Section after amendment by P.A. 100-200)

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

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

20 (c) Every structure which (1) contains more than one  
21 dwelling unit, or (2) contains at least one dwelling unit and  
22 is a mixed-use structure, shall contain at least one approved  
23 smoke detector at the uppermost ceiling of each interior  
24 stairwell. The detector shall be installed on the ceiling, at  
25 least 6 inches from the wall, or on a wall located between 4

1 and 6 inches from the ceiling.

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

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

23 (e) The requirements of this Section shall apply to any  
24 dwelling unit in existence on July 1, 1988, beginning on that  
25 date. Except as provided in subsections (f) and (g), the smoke  
26 detectors required in such dwelling units may be either:

1 battery powered provided the battery is a self-contained,  
2 non-removable, long-term ~~long-term~~ battery, or wired into the  
3 structure's AC power line, and need not be interconnected.

4 (1) The battery requirements of this Section shall  
5 apply to battery-powered ~~battery-powered~~ smoke detectors  
6 that: (A) are in existence and exceed 10 years from the  
7 date of their being manufactured; (B) fail ~~fails~~ to  
8 respond to operability tests or otherwise malfunction  
9 ~~malfunctions~~; or (C) are newly installed.

10 (2) The battery requirements of this Section do not  
11 apply to: (A) a fire alarm, smoke detector, smoke alarm,  
12 or ancillary component that is electronically connected as  
13 a part of a centrally monitored or supervised alarm  
14 system; (B) a fire alarm, smoke detector, smoke alarm, or  
15 ancillary component that uses: (i) a low-power radio  
16 frequency wireless communication signal, or (ii) Wi-Fi or  
17 other wireless Local Area Networking capability to send  
18 and receive notifications to and from the Internet, such  
19 as early low battery warnings before the device reaches a  
20 critical low power level; or (C) such other devices as the  
21 State Fire Marshal shall designate through its regulatory  
22 process.

23 (f) In the case of any dwelling unit that is newly  
24 constructed, reconstructed, or substantially remodelled after  
25 December 31, 1987, the requirements of this Section shall  
26 apply beginning on the first day of occupancy of the dwelling

1 unit after such construction, reconstruction or substantial  
2 remodelling. The smoke detectors required in such dwelling  
3 unit shall be permanently wired into the structure's AC power  
4 line, and if more than one detector is required to be installed  
5 within the dwelling unit, the detectors shall be wired so that  
6 the actuation of one detector will actuate all the detectors  
7 in the dwelling unit.

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

14 (g) Every hotel shall be equipped with operational  
15 portable smoke-detecting alarm devices for the deaf and  
16 hearing impaired of audible and visual design, available for  
17 units of occupancy.

18 Specialized smoke detectors ~~smoke detectors~~ for the deaf  
19 and hearing impaired shall be available upon request by guests  
20 in such hotels at a rate of at least one such smoke detector  
21 per 75 occupancy units or portions thereof, not to exceed 5  
22 such smoke detectors per hotel. Incorporation or connection  
23 into an existing interior alarm system, so as to be capable of  
24 being activated by the system, may be utilized in lieu of the  
25 portable alarms.

26 Operators of any hotel shall post conspicuously at the



1 main desk a permanent notice, in letters at least 3 inches in  
2 height, stating that smoke detector alarm devices for the deaf  
3 and hearing impaired are available. The proprietor may require  
4 a refundable deposit for a portable smoke detector not to  
5 exceed the cost of the detector.

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

9 (h) Compliance with an applicable federal, State, or local  
10 law or building code which requires the installation and  
11 maintenance of smoke detectors in a manner different from this  
12 Section, but providing a level of safety for occupants which  
13 is equal to or greater than that provided by this Section,  
14 shall be deemed to be in compliance with this Section, and the  
15 requirements of such more stringent law shall govern over the  
16 requirements of this Section.

17 (i) (Blank). ~~The requirements of this Section shall not~~  
18 ~~apply to dwelling units and hotels within municipalities with~~  
19 ~~a population over 1,000,000 inhabitants.~~

20 (Source: P.A. 100-200, eff. 1-1-23; revised 8-19-20.)

21 Section 95. No acceleration or delay. Where this Act makes  
22 changes in a statute that is represented in this Act by text  
23 that is not yet or no longer in effect (for example, a Section  
24 represented by multiple versions), the use of that text does  
25 not accelerate or delay the taking effect of (i) the changes

1 made by this Act or (ii) provisions derived from any other  
2 Public Act.