



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

SB2086

Introduced 2/25/2005, by Sen. Don Harmon

SYNOPSIS AS INTRODUCED:

New Act

Creates the Carbon Monoxide Alarm Detector Act. Provides that every dwelling unit shall be equipped with at least one approved carbon monoxide alarm in an operating condition within 15 feet of every room used for sleeping purposes. Provides that the carbon monoxide alarm may be combined with smoke detecting devices provided that the combined unit complies with the respective provisions of the administrative code, reference standards, and departmental rules relating to both smoke detecting devices and carbon monoxide alarms and provided that the combined unit contains voice annunciation that clearly differentiates the hazard. Provides that it shall be the responsibility of the owner of a structure to supply and install all required alarms. Provides that it shall be the responsibility of a tenant to test and to provide general maintenance for the alarms within the tenant's dwelling unit or rooming unit, and to notify the owner or the authorized agent of the owner in writing of any deficiencies that the tenant cannot correct. Allows certain types of carbon monoxide alarms to be installed. Provides that willful failure to install or maintain in operating condition any carbon monoxide alarm required by the Act is a Class B misdemeanor. Provides that tampering with, removing, destroying, disconnecting, or removing the batteries from any installed carbon monoxide alarm, except in the course of inspection, maintenance, or replacement of the detector, is a Class A misdemeanor in the case of a first conviction, and a Class 4 felony in the case of a second or subsequent conviction.

LRB094 11574 RXD 42583 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

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 1. Short title. This Act may be cited as the Carbon
5 Monoxide Alarm Detector Act.

6 Section 5. Definitions. In this Act:

7 "Approved carbon monoxide alarm" or "alarm" means a carbon
8 monoxide alarm of the ionization or photoelectric type that
9 complies with all the requirements of the rules and regulations
10 of the Illinois State Fire Marshal.

11 "Dwelling unit" means a room or suite of rooms used for
12 human habitation, and includes a single family residence as
13 well as each living unit of a multiple family residence and
14 each living unit in a mixed use building.

15 Section 10. Carbon monoxide detector.

16 (a) Every dwelling unit shall be equipped with at least one
17 approved carbon monoxide alarm in an operating condition within
18 15 feet of every room used for sleeping purposes. The carbon
19 monoxide alarm may be combined with smoke detecting devices
20 provided that the combined unit complies with the respective
21 provisions of the administrative code, reference standards,
22 and departmental rules relating to both smoke detecting devices
23 and carbon monoxide alarms and provided that the combined unit
24 contains voice annunciation that clearly differentiates the
25 hazard.

26 (b) Every structure that contains more than one dwelling
27 unit shall contain at least one approved carbon monoxide alarm
28 in operating condition within 15 feet of every room used for
29 sleeping purposes.

30 (c) It is the responsibility of the owner of a structure to
31 supply and install all required alarms. It is the

1 responsibility of a tenant to test and to provide general
2 maintenance for the alarms within the tenant's dwelling unit or
3 rooming unit, and to notify the owner or the authorized agent
4 of the owner in writing of any deficiencies that the tenant
5 cannot correct. The owner is responsible for providing one
6 tenant per dwelling unit with written information regarding
7 alarm testing and maintenance.

8 The tenant is responsible for replacement of any required
9 batteries in the carbon monoxide alarms in the tenant's
10 dwelling unit, except that the owner shall ensure that the
11 batteries are in operating condition at the time the tenant
12 takes possession of the dwelling unit. The tenant shall provide
13 the owner or the authorized agent of the owner with access to
14 the dwelling unit to correct any deficiencies in the carbon
15 monoxide alarm that have been reported in writing to the owner
16 or the authorized agent of the owner.

17 (d) The requirements of this Section apply to any dwelling
18 unit in existence on January 1, 2006, beginning on that date.
19 Except as provided in subsection (e) of this Section, the
20 carbon monoxide alarms required in these dwelling units may be
21 either battery powered, plug-in with battery back-up, or wired
22 into the structure's AC power line with secondary battery
23 back-up.

24 (e) In the case of any dwelling unit that is newly
25 constructed, reconstructed, or substantially remodeled after
26 January 1, 2006, the requirements of this Section apply
27 beginning on the first day of occupancy of the dwelling unit
28 after the construction, reconstruction, or substantial
29 remodeling. The carbon monoxide alarms required in these
30 dwelling units shall be permanently wired into the structure's
31 AC power line with secondary battery back-up.

32 Section 15. Violation.

33 (a) Willful failure to install or maintain in operating
34 condition any carbon monoxide alarm required by this Act is a
35 Class B misdemeanor.

1 (b) Tampering with, removing, destroying, disconnecting,
2 or removing the batteries from any installed carbon monoxide
3 alarm, except in the course of inspection, maintenance, or
4 replacement of the alarm, is a Class A misdemeanor in the case
5 of a first conviction, and a Class 4 felony in the case of a
6 second or subsequent conviction.