

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 Carbon Monoxide Alarm Detector Act is
5 amended by changing Sections 1, 5, 10, 15, and 20 as follows:

6 (430 ILCS 135/1)

7 Sec. 1. Short title. This Act may be cited as the Carbon
8 Monoxide Detector and Alarm ~~Detector~~ Act.

9 (Source: P.A. 94-741, eff. 1-1-07.)

10 (430 ILCS 135/5)

11 Sec. 5. Definitions. In this Act:

12 "Carbon ~~Approved carbon~~ alarm" ~~or "alarm"~~ means
13 either (1) an integrated carbon monoxide detector and alarm or
14 (2) an alarm connected to a carbon monoxide detector or
15 detectors located in proximity to a source of carbon monoxide,
16 provided that in either case all such alarms and detectors
17 comply with applicable ~~a carbon monoxide alarm that complies~~
18 ~~with all the requirements of the~~ rules and regulations of the
19 Illinois State Fire Marshal, bear ~~bears~~ the label of a
20 nationally recognized testing laboratory, and comply ~~complies~~
21 with the most recent standards of the Underwriters Laboratories
22 or the Canadian Standard Association. A carbon monoxide alarm

1 may be combined with smoke detecting devices, as defined in the
2 Smoke Detector Act, provided that the combined unit complies
3 with the respective provisions of the Illinois Administrative
4 Code, reference standards, and departmental rules relating to
5 both smoke detecting devices and carbon monoxide alarms and
6 provided that the combined unit emits an alarm in a manner that
7 clearly differentiates the hazard. A carbon monoxide alarm may
8 be battery powered, plugged into an electrical outlet within
9 the dwelling unit with secondary battery back-up, or wired into
10 the structure's dwelling unit's AC power line with secondary
11 battery back-up.

12 "Dwelling unit" means a room or suite of rooms used for
13 human habitation, and includes a single family residence as
14 well as each living unit of a multiple family residence, ~~and~~
15 ~~each living unit in a mixed use building, hotel, or residential~~
16 health care facility.

17 "Hotel" means any building or buildings maintained,
18 advertised, or held out to the public to be a place where
19 lodging is offered for consideration to travelers and guests.
20 "Hotel" includes inns, motels, tourist homes or courts, bed and
21 breakfast establishments and lodging houses.

22 (Source: P.A. 94-741, eff. 1-1-07.)

23 (430 ILCS 135/10)

24 Sec. 10. Carbon monoxide alarm ~~detector~~.

25 (a) Every dwelling unit shall be equipped with:

1 (1) at least one ~~approved~~ carbon monoxide alarm in an
2 operating condition within 15 feet of every room used for
3 sleeping purposes; or

4 (2) a carbon monoxide alarm proximate to each source of
5 carbon monoxide and monitored at all times by on-site personnel
6 charged, pursuant to written protocols, with initiating an
7 orderly evacuation of the building in the event that the alarm
8 sounds, unless a local fire department has investigated the
9 building and determined that an evacuation is not warranted.

10 ~~The carbon monoxide alarm may be combined with smoke detecting~~
11 ~~devices provided that the combined unit complies with the~~
12 ~~respective provisions of the administrative code, reference~~
13 ~~standards, and departmental rules relating to both smoke~~
14 ~~detecting devices and carbon monoxide alarms and provided that~~
15 ~~the combined unit emits an alarm in a manner that clearly~~
16 ~~differentiates the hazard.~~

17 (b) (Blank). ~~Every structure that contains more than one~~
18 ~~dwelling unit shall contain at least one approved carbon~~
19 ~~monoxide alarm in operating condition within 15 feet of every~~
20 ~~room used for sleeping purposes.~~

21 (c) It is the responsibility of the owner of a dwelling
22 unit structure to supply and install all required carbon
23 monoxide alarms and to provide general maintenance for the
24 alarms.

25 (c-5) Notwithstanding the foregoing, in the case of a
26 dwelling unit leased to a tenant pursuant to a written lease,

1 it ~~it~~ is the responsibility of a tenant to test and to provide
2 general maintenance for the alarms within the tenant's dwelling
3 unit or rooming unit, and to notify the owner or the authorized
4 agent of the owner in writing of any deficiencies that the
5 tenant cannot correct, unless otherwise specified in the lease.

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

18 (d) (Blank). ~~The carbon monoxide alarms required under this~~
19 ~~Act may be either battery powered, plug in with battery~~
20 ~~back up, or wired into the structure's AC power line with~~
21 ~~secondary battery back up.~~

22 (Source: P.A. 94-741, eff. 1-1-07.)

23 (430 ILCS 135/15)

24 Sec. 15. Violation.

25 (a) Willful failure to install or maintain in operating

1 condition any carbon monoxide alarm required by this Act is a
2 petty offense. A violation of this subsection shall constitute
3 a separate offense for each affected room that is used for
4 sleeping purposes ~~Class B misdemeanor.~~

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

11 (c) Enforcement of the provisions of this Act may be
12 carried out by the Office of the State Fire Marshal and any
13 unit of local government that is authorized to enforce building
14 or fire prevention codes.

15 (Source: P.A. 94-741, eff. 1-1-07.)

16 (430 ILCS 135/20)

17 Sec. 20. Exemptions. The following dwelling ~~residential~~
18 units shall not require carbon monoxide alarms ~~detectors~~:

19 (1) A dwelling ~~residential~~ unit in a building that: (i)
20 does not rely on combustion of fossil fuel for heat,
21 ~~ventilation,~~ or hot water; (ii) is not connected in any way
22 to an attached ~~a~~ garage; and (iii) is not sufficiently
23 close to any ~~ventilated~~ source of carbon monoxide so as, ~~as~~
24 ~~determined by the local building commissioner,~~ to receive
25 carbon monoxide from that source.

1 (2) A dwelling ~~residential~~ unit that is not
2 sufficiently close to any source of carbon monoxide so as
3 to be at risk of receiving carbon monoxide from that
4 source, as determined by the local building commissioner.

5 (Source: P.A. 94-741, eff. 1-1-07.)