



Sen. Ira I. Silverstein

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09900SB2837sam001

LRB099 18361 MJP 46382 a

1 AMENDMENT TO SENATE BILL 2837

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2837 by replacing  
3 everything after the enacting clause with the following:

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

1 detector installed on the upper level shall suffice for the  
2 adjacent lower level if the lower level is less than one full  
3 story below the upper level; however, if there is an  
4 intervening door between the adjacent levels, a smoke detector  
5 shall be installed on each level.

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

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

25 The tenant shall be responsible for replacement of any  
26 required batteries in the smoke detectors in the tenant's

1 dwelling unit, except that the owner shall ensure that such  
2 batteries are in operating condition at the time the tenant  
3 takes possession of the dwelling unit. The tenant shall provide  
4 the owner or the authorized agent of the owner with access to  
5 the dwelling unit to correct any deficiencies in the smoke  
6 detector which have been reported in writing to the owner or  
7 the authorized agent of the owner.

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

16 (1) The battery requirements of this Section shall  
17 apply to battery powered smoke detectors that: (A) are in  
18 existence and exceed 10 years from the date of their being  
19 manufactured; (B) fails to respond to operability tests or  
20 otherwise malfunctions; or (C) are newly installed.

21 (2) The battery requirements of this Section do not  
22 apply to: (A) a fire alarm, smoke detector, smoke alarm, or  
23 ancillary component that is electronically connected as a  
24 part of a centrally monitored or supervised alarm system;  
25 (B) a fire alarm, smoke detector, smoke alarm, or ancillary  
26 component that uses: (i) a low-power radio frequency

1 wireless communication signal, or (ii) Wi-Fi or other  
2 wireless Local Area Networking capability to send and  
3 receive notifications to and from the Internet, such as  
4 early low battery warnings before the device reaches a  
5 critical low power level; or (C) such other devices as the  
6 State Fire Marshal shall designate through its regulatory  
7 process.

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 apply  
11 beginning on the first day of occupancy of the dwelling unit  
12 after such construction, reconstruction or substantial  
13 remodelling. The smoke detectors required in such dwelling unit  
14 shall be permanently wired into the structure's AC power line,  
15 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 in  
18 the dwelling unit.

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

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

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

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

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

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

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

26 (i) The requirements of this Section shall not apply to

1 dwelling units and hotels within municipalities with a  
2 population over 1,000,000 inhabitants.

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

4 Section 99. Effective date. This Act takes effect January  
5 1, 2017."