

Senate File 2219 - Enrolled

Senate File 2219

AN ACT

REQUIRING CARBON MONOXIDE ALARMS IN CERTAIN DWELLINGS AND
MULTIPLE-UNIT RESIDENTIAL BUILDINGS, MAKING PENALTIES
APPLICABLE, AND INCLUDING EFFECTIVE DATE PROVISIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 100.18, subsection 1, Code 2016, is amended by adding the following new paragraphs:

NEW PARAGRAPH. *0a.* "*Carbon monoxide alarm*" means a device which detects carbon monoxide and which incorporates an alarm-sounding unit operated from a power supply either in the unit or obtained at the point of installation.

NEW PARAGRAPH. *0b.* "*Fuel*" means coal, kerosene, oil, fuel gases, or other petroleum products or hydrocarbon products such as wood that emit carbon monoxide as a by-product of combustion.

Sec. 2. Section 100.18, Code 2016, is amended by adding the following new subsection:

NEW SUBSECTION. 2A. *a.* Multiple-unit residential buildings and single-family dwellings, the construction of which is begun on or after July 1, 2018, and that have a fuel-fired heater or appliance, a fireplace, or an attached garage, shall include the installation of carbon monoxide alarms in compliance

with the rules established by the state fire marshal under subsection 4.

b. The rules shall require the installation of carbon monoxide alarms in existing single-family rental units and multiple-unit residential buildings that have a fuel-fired heater or appliance, a fireplace, or an attached garage. Existing single-family dwellings that have a fuel-fired heater or appliance, a fireplace, or an attached garage shall be equipped with approved carbon monoxide alarms. For purposes of this paragraph, "*approved carbon monoxide alarm*" means a carbon monoxide alarm that meets the standards established by the underwriters' laboratories or is approved by the state fire marshal as established by rule under subsection 4. A person who files for a homestead credit pursuant to chapter 425 shall certify that the single-family dwelling for which the credit is filed and that has a fuel-fired heater or appliance, a fireplace, or an attached garage, has carbon monoxide alarms installed in compliance with this section, or that such alarms will be installed within thirty days of the date the filing for the credit is made. The state fire marshal shall adopt rules and establish appropriate procedures to administer this subsection.

c. An owner of a multiple-unit residential building or a single-family rental unit that has a fuel-fired heater or appliance, a fireplace, or an attached garage, or an owner's agent, shall supply light-emitting carbon monoxide alarms, upon request, for a tenant with a hearing impairment.

d. The owner of a building requiring the installation of carbon monoxide alarms under this subsection shall install a carbon monoxide alarm in a location as specified by rules established by the state fire marshal under subsection 4, taking into account the number and location of all fuel sources in the building.

Sec. 3. Section 100.18, subsections 4, 6, and 7, Code 2016, are amended to read as follows:

4. The state fire marshal shall enforce the requirements of ~~subsection~~ subsections 2 and 2A and may implement a program of inspections to monitor compliance with the provisions of ~~that subsection~~ those subsections. Upon inspection,

the state fire marshal shall issue a written notice to the owner or manager of a multiple-unit residential building or single-family ~~dwelling~~ rental unit informing the owner or manager of compliance or noncompliance with [this section](#). The state fire marshal may contract with any political subdivision without fee assessed to either the state fire marshal or the political subdivision, for the performance of the inspection and notification responsibilities. The inspections authorized under [this section](#) are limited to the placement, repair, and operability of smoke detectors and carbon monoxide alarms. Any broader inspection authority is not derived from [this section](#). The state fire marshal shall adopt rules under [chapter 17A](#) as necessary to enforce [this section](#) including rules concerning the placement of smoke detectors and carbon monoxide alarms and the use of acceptable smoke detectors and carbon monoxide alarms. The smoke detectors and carbon monoxide alarms shall display a label or other identification issued by an approved testing agency or another label specifically approved by the state fire marshal.

6. If a smoke detector or carbon monoxide alarm is found to be inoperable, the owner or manager of the multiple-unit residential building or single-family ~~dwelling~~ rental unit shall correct the situation within ~~fourteen~~ thirty days after written notification to the owner or manager by the tenant, guest, roomer, state fire marshal, fire marshal's subordinates, chiefs of local fire departments, building inspectors, or other fire, building, or safety officials. If the owner or manager of a multiple-unit residential building or single-family rental unit fails to correct the situation within the ~~fourteen~~ thirty days the tenant, guest, or roomer may cause the smoke detector or carbon monoxide alarm to be repaired or purchase and install a smoke detector or carbon monoxide alarm required under this section and may deduct the repair cost or purchase price from the next rental payment or payments made by the tenant, guest, or roomer. However, a lessor or owner may require a lessee, tenant, guest, or roomer who has a residency of longer than thirty days to provide the battery for a battery operated smoke detector or carbon monoxide alarm.

7. No person may render inoperable a smoke detector, or carbon monoxide alarm which is required to be installed by this section, by tampering.

Sec. 4. EFFECTIVE DATE. This Act takes effect July 1, 2018.

PAM JOCHUM
President of the Senate

LINDA UPMEYER
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2219, Eighty-sixth General Assembly.

MICHAEL E. MARSHALL
Secretary of the Senate

Approved _____, 2016

TERRY E. BRANSTAD
Governor