

House File 701 - Introduced

HOUSE FILE _____
BY KAUFMANN

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act requiring carbon monoxide detectors in certain
2 multiple-unit residential buildings, making penalties
3 applicable, and providing an appropriation.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 2678YH 82
6 eg/cf/24

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1 1 Section 1. Section 100.18, Code 2007, is amended by adding
1 2 the following new subsection:

1 3 NEW SUBSECTION. 2B. a. Multiple-unit residential
1 4 buildings the construction of which is begun on or after July
1 5 1, 2007, shall include the installation of carbon monoxide
1 6 detectors in compliance with the rules established by the
1 7 state fire marshal under subsection 4.

1 8 b. The rules shall require the installation of carbon
1 9 monoxide detectors in existing multiple-unit residential
1 10 buildings. The state fire marshal shall adopt rules and
1 11 establish appropriate procedures to administer this
1 12 subsection.

1 13 c. An owner or an owner's agent of a multiple-unit
1 14 residential building shall supply light-emitting carbon
1 15 monoxide detectors, upon request, for a tenant with a hearing
1 16 impairment.

1 17 Sec. 2. Section 100.18, subsections 4, 6, and 7, Code
1 18 2007, are amended to read as follows:

1 19 4. The state fire marshal shall enforce the requirements
1 20 of ~~subsection subsections 2 and 2B~~ and may implement a program
1 21 of inspections to monitor compliance with the provisions of
1 22 ~~that subsection those subsections~~. Upon inspection, the state
1 23 fire marshal shall issue a written notice to the owner or
1 24 manager of a multiple-unit residential building or
1 25 single-family dwelling informing the owner or manager of
1 26 compliance or noncompliance with this section. The state fire
1 27 marshal may contract with any political subdivision without
1 28 fee assessed to either the state fire marshal or the political
1 29 subdivision, for the performance of the inspection and
1 30 notification responsibilities. The inspections authorized
1 31 under this section are limited to the placement, repair, and
1 32 operability of smoke detectors and carbon monoxide detectors.

1 33 Any broader inspection authority is not derived from this
1 34 section. The state fire marshal shall adopt rules under
1 35 chapter 17A as necessary to enforce this section including
2 1 rules concerning the placement of smoke detectors and carbon
2 2 monoxide detectors and the use of acceptable smoke detectors
2 3 and carbon monoxide detectors. The smoke detectors and carbon
2 4 monoxide detectors shall display a label or other

2 5 identification issued by an approved testing agency or another
2 6 label specifically approved by the state fire marshal.

2 7 6. If a smoke detector or carbon monoxide detector is
2 8 found to be inoperable in a multiple-unit residential
2 9 building, or if a smoke detector is found to be inoperable in
2 10 a single-family dwelling, the owner or manager of the

2 11 multiple-unit residential building or single-family dwelling
2 12 shall correct the situation within fourteen days after written
2 13 notification to the owner or manager by the tenant, guest,
2 14 roomer, state fire marshal, fire marshal's subordinates,
2 15 chiefs of local fire departments, building inspectors, or
2 16 other fire, building, or safety officials. If the owner or
2 17 manager of a multiple-unit residential building fails to
2 18 correct the situation within the fourteen days the tenant,
2 19 guest, or roomer may cause the smoke detector or carbon

2 20 monoxide detector to be repaired or purchase and install a
2 21 smoke detector or carbon monoxide detector required under this
2 22 section and may deduct the repair cost or purchase price from
2 23 the next rental payment or payments made by the tenant, guest,
2 24 or roomer. However, a lessor or owner may require a lessee,
2 25 tenant, guest, or roomer who has a residency of longer than
2 26 thirty days to provide the battery for a battery operated
2 27 smoke detector or carbon monoxide detector.

2 28 7. No person may render inoperable a smoke detector, or
2 29 carbon monoxide detector which is required to be installed by
2 30 this section, by tampering.

2 31 Sec. 3. CARBON MONOXIDE DETECTOR EDUCATION. There is
2 32 appropriated from the general fund of the state to the
2 33 department of public safety for the fiscal year beginning July
2 34 1, 2007, and ending June 30, 2008, the following amount, or so
2 35 much thereof as is necessary, to be used for the purposes

3 1 designated:

3 2 For educating the public about the danger of carbon
3 3 monoxide in a residential building and how the installation of
3 4 carbon monoxide detectors can save lives, including salaries,
3 5 support, maintenance, and miscellaneous purposes:

3 6 \$ 25,000

3 7 EXPLANATION

3 8 This bill amends current law that requires smoke detectors
3 9 in multiple-unit residential buildings and single-family
3 10 dwellings to also require the installation of carbon monoxide
3 11 detectors in multiple-unit residential buildings. Multiple-
3 12 unit residential buildings are defined to include residential
3 13 buildings, apartment houses, hotels, dormitories, and rooming
3 14 houses.

3 15 The bill requires the installation of carbon monoxide
3 16 detectors in multiple-unit residential buildings constructed
3 17 on or after July 1, 2007. In addition, the state fire marshal
3 18 shall adopt rules for the installation of carbon monoxide
3 19 detectors in existing multiple-unit residential buildings.
3 20 Owners of multiple-unit residential buildings are also
3 21 required to supply light-emitting carbon monoxide detectors
3 22 for hearing-impaired tenants.

3 23 Current requirements applicable to smoke detectors are also
3 24 made applicable to carbon monoxide detectors in the bill. The
3 25 bill provides that the state fire marshal shall enforce the
3 26 requirements of the bill concerning carbon monoxide detectors
3 27 and provides that an occupant of a multiple-unit residential
3 28 building in which the owner fails to install or fix a carbon
3 29 monoxide detector within 14 days of receiving written notice
3 30 may deduct the cost of fixing or installing a carbon monoxide
3 31 detector from the next rental payment. In addition, a person
3 32 is prevented from making a carbon monoxide detector
3 33 inoperable. A person who violates a provision of the bill
3 34 concerning carbon monoxide detectors is guilty of a simple
3 35 misdemeanor.

4 1 The bill appropriates \$25,000 from the general fund of the
4 2 state to the department of public safety for the fiscal year
4 3 beginning July 1, 2007, and ending June 30, 2008, to be used
4 4 for educating the public about the danger of carbon monoxide
4 5 in a residential building and how the installation of carbon
4 6 monoxide detectors can save lives.

4 7 LSB 2678YH 82

4 8 eg:nh/cf/24