

SECOND REGULAR SESSION

HOUSE BILL NO. 2463

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES McCLANAHAN (Sponsor), BRUNS, GEORGE, OXFORD,
NORR, RUCKER, SCHIEFFER, ROORDA, HODGES, MOORE,
WILDBERGER AND YAEGER (Co-sponsors).

Read 1st time March 26, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

5188L.01I

AN ACT

To amend chapter 320, RSMo, by adding thereto one new section relating to detection devices,
with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 320, RSMo, is amended by adding thereto one new section, to be
2 known as section 320.066, to read as follows:

320.066. 1. The following terms shall mean:

- 2 **(1) "Approved carbon monoxide alarm", a device meant for the purpose of**
3 **detecting carbon monoxide that is certified by a nationally recognized testing laboratory**
4 **to conform to the latest Underwriters Laboratories Standards;**
5 **(2) "Approved smoke alarm", a device meant for the purpose of detecting smoke**
6 **and products of combustion that is certified by a nationally recognized testing laboratory**
7 **to conform to the latest Underwriters Laboratories Standards;**
8 **(3) "Backup battery", a secondary internal power source of different current**
9 **voltage that is certified by a nationally recognized testing laboratory to conform to the**
10 **latest Underwriters Laboratories Standards;**
11 **(4) "Dwelling unit", a single unit providing complete, independent living facilities**
12 **for one or more persons, whether occupied or vacant;**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended
to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

13 (5) "Installed", an approved carbon monoxide alarm that is hard-wired into the
14 electrical wiring of the dwelling unit or residential property;

15 (6) "Interconnected", electrically wired in such a manner that the activation of one
16 alarm will activate all of the alarms in the dwelling unit;

17 (7) "Operational", working and in service.

18 2. (1) Every newly constructed residential property or rental property that is a
19 dwelling unit shall be equipped with an approved and operational carbon monoxide alarm
20 installed within ten feet of each room lawfully used for sleeping purposes. Such carbon
21 monoxide alarm shall also be installed within ten feet of each room lawfully used for
22 sleeping upon the sale of an existing residential property or upon any change or renewal
23 of a lease of a rental property that is a dwelling unit. Such alarm shall be installed in
24 accordance with the National Fire Protection Association's Standard for the Installation
25 of Carbon Monoxide Warning Equipment in Dwelling Units (NFPA 720) and the
26 manufacturer's recommendation.

27 (2) Every carbon monoxide alarm required in subdivision (1) of this subsection
28 shall be certified by a nationally recognized testing laboratory to conform to the latest
29 Underwriters Laboratories Standards and shall be equipped with a battery backup.

30 (3) In a new residential leased or rental dwelling unit, carbon monoxide alarms
31 shall receive its primary power from the building's wiring and shall be equipped with a
32 battery backup. Wiring shall be permanent and without a disconnecting switch except as
33 required for over-current protection.

34 3. (1) The owner of each existing and newly constructed residential leased or rental
35 dwelling unit shall install at least one approved smoke alarm prior to new occupancy of
36 such dwelling unit at the following locations in accordance with the National Fire
37 Protection Association National Fire Alarm Code (NFPA 72) and the manufacturer's
38 recommendations:

39 (a) On the ceiling or wall within ten feet of each room used for sleeping purposes;
40 and

41 (b) Inside each room used for sleeping purposes; and

42 (c) On each level within the dwelling unit including the basement but not to include
43 crawl spaces or uninhabited attics.

44 (2) The smoke alarm shall be capable of sensing visible or invisible particles of
45 combustion and emitting an audible signal and shall comply with all the specifications of
46 the Underwriters Laboratories Standards. The alarm shall be clearly audible in all
47 bedrooms over background noise levels with all intervening doors closed. The smoke
48 alarm shall emit a signal when the batteries are low.

49 **(3) In all newly constructed residential leased or rental dwelling units, the smoke**
50 **alarm shall receive its primary power from the building's wiring and shall be equipped**
51 **with a battery backup. Wiring shall be permanent and without a disconnecting switch**
52 **except as required for over-current protection. The smoke alarm shall be interconnected**
53 **so that alarm activation of one alarm will activate all the alarms in the dwelling unit.**

54 **4. The owner of a rental property that is a dwelling unit which is required to be**
55 **equipped with one or more approved carbon monoxide or smoke alarm shall:**

56 **(1) Provide and install one approved and operational carbon monoxide or smoke**
57 **alarm within ten feet of each room lawfully used for sleeping;**

58 **(2) Replace any required carbon monoxide or smoke alarm that has been stolen,**
59 **removed, found missing, or rendered inoperable within the dwelling unit;**

60 **(3) Keep and maintain the device in good repair; and**

61 **(4) Test the carbon monoxide or smoke alarm.**

62 **5. This section shall not apply to any political subdivision adopting or having**
63 **adopted a code, ordinance, order, or regulation equal to or more stringent than the**
64 **requirements of this section.**

65 **6. (1) Willful failure to install or maintain in operating condition any carbon**
66 **monoxide or smoke alarm required by this section is a class B misdemeanor.**

67 **(2) Tampering with, removing, destroying, disconnecting, or removing the batteries**
68 **from any installed carbon monoxide or smoke alarm, except in the course of inspection,**
69 **maintenance, or replacement of the alarm, is a class A misdemeanor in the case of a first**
70 **conviction and a class D felony in the case of a second or subsequent conviction.**

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