

HB 2463 -- Carbon Monoxide and Smoke Detection Devices

Sponsor: McClanahan

This bill requires all newly constructed residential property or rental dwellings to have an approved and operational carbon monoxide alarm installed within 10 feet of each room lawfully used for sleeping. This requirement also applies to an existing residential property or rental dwelling upon its sale or the change or renewal of a lease. The owner of each existing and newly constructed residential leased or rental dwelling unit must install at least one approved smoke alarm capable of sensing visible or invisible particles of combustion and emitting an audible signal on the ceiling or wall within 10 feet of and inside each room used for sleeping purposes and on each level within the dwelling. In all newly constructed residential leased or rental dwelling units, the smoke alarm and carbon monoxide alarm must receive its primary power from the building's wiring and be equipped with a battery backup. The owner of any rental dwelling which is required to be equipped with a carbon monoxide or smoke alarm must replace any required alarm that has been stolen, removed, discovered to be missing, or rendered inoperable within the dwelling; keep and maintain the device in good repair; and test the alarm.

Willful failure to install or maintain in operating condition any carbon monoxide or smoke alarm will be a class B misdemeanor. Tampering with, removing, destroying, disconnecting, or removing the batteries from any installed carbon monoxide or smoke alarm will be a class A misdemeanor for the first offense and a class D felony for each subsequent offense.

The provisions of the bill will not apply to any political subdivision adopting or having adopted a code, ordinance, order, or regulation equal to or more stringent than the requirements of the bill.