



Sen. Craig Wilcox

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1 AMENDMENT TO SENATE BILL 1161

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1161 by replacing  
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the Fuel  
5 Gas Detector Act.

6 Section 5. Definitions.

7 As used in this Act:

8 "Dwelling unit" means a room or suite of rooms used for  
9 human habitation and includes a single family residence as  
10 well as each living unit of a multiple family residence and  
11 each living unit in a mixed-use building.

12 "Fuel gas detector" means a device that:

13 (1) has an assembly that incorporates a sensor control  
14 component that detects elevated levels of propane, natural  
15 gas, or liquefied petroleum gas;

16 (2) sounds a warning alarm when elevated levels of

1 propane, natural gas, or liquefied petroleum gas are  
2 detected;

3 (3) is approved or listed by a nationally recognized  
4 independent testing laboratory; and

5 (4) is battery-operated, plugged into an electrical  
6 outlet, or hardwired.

7 Section 10. Fuel gas detector required. The owner of any  
8 of the following buildings shall install, or cause to be  
9 installed, in accordance with the manufacturer's requirements,  
10 at least one fuel gas detector in the rooms in the building in  
11 which there is located an appliance fueled by propane, natural  
12 gas, or liquefied petroleum gas:

13 (1) A structure in which one or more dwelling units  
14 are located.

15 (2) A fraternity house, sorority house, or dormitory  
16 that is affiliated with an educational facility or entity.

17 (3) A children's home, emergency children's shelter,  
18 children's residential care facility, shelter for homeless  
19 children, or specialized children's home.

20 (4) A hotel as defined in Section 2 of the Hotel  
21 Operators' Occupation Tax Act.

22 Section 15. Residential rental units. The following  
23 requirements apply to a residential rental unit occupied under  
24 the terms of a rental agreement or under a month-to-month

1 tenancy:

2 (1) At the beginning of each occupancy, the owner of  
3 the building shall provide fuel gas detectors in  
4 accordance with Section 10 if fuel gas detectors are not  
5 already present. Each fuel gas detector must be in working  
6 condition. After notification, in writing, by the tenant  
7 of any deficiencies in a fuel gas detector, the owner of  
8 the building shall repair or replace the fuel gas  
9 detector. If the owner does not know and has not been  
10 notified of the need to repair or replace a fuel gas  
11 detector, the owner's failure to repair or replace the  
12 fuel gas detector may not be considered evidence of  
13 negligence in a subsequent civil action arising from  
14 death, property loss, or personal injury.

15 (2) The tenant shall keep each fuel gas detector  
16 within the tenant's unit in working condition by keeping  
17 the fuel gas detector connected to the electrical service  
18 in the building or keeping charged batteries in a  
19 battery-operated fuel gas detector, testing the fuel gas  
20 detector periodically, and refraining from disabling the  
21 fuel gas detector.

22 Section 20. Transfer of building.

23 (a) A person who, after January 1, 2025, acquires by sale  
24 or exchange a building listed in paragraph (1) of Section 10  
25 shall install fuel gas detectors in accordance with Section 10

1 in the acquired building within 30 days after the acquisition  
2 or occupancy of the building, whichever is later, if fuel gas  
3 detectors that satisfy the requirements of Section 10 are not  
4 already present, and shall certify at the closing of the  
5 transaction that fuel gas detectors will be installed. The  
6 certification must be signed and dated by the person acquiring  
7 the building. A fuel gas detector must be installed, in  
8 accordance with the manufacturer's installation requirements,  
9 in each area containing an appliance fueled by propane,  
10 natural gas, or liquefied petroleum gas.

11 (b) A person does not have a claim for relief against a  
12 property owner, a property purchaser, an authorized agent of a  
13 property owner or purchaser, a person in possession of real  
14 property, a closing agent, or a lender for any damages  
15 resulting from the operation, maintenance, or effectiveness of  
16 a fuel gas detector installed in accordance with this Act.

17 (c) Violation of this Section does not create a defect in  
18 title.

19 Section 25. Penalties.

20 (a) A person who violates this Act is liable for a civil  
21 penalty, set by local ordinance. A court may waive any civil  
22 penalty or cost against a violator upon satisfactory proof  
23 that the violation was corrected within 30 days after notice  
24 of the violation was first provided.

25 (b) In addition to any penalties under subsection (a), the

1 duties and restrictions created under this Act may be enforced  
2 by the Attorney General, a State's Attorney, or a municipal  
3 attorney, by filing a petition for equitable relief in any  
4 court of competent jurisdiction.

5 Section 30. Liability. Nothing in this Act gives rise to  
6 any action against a building owner required to comply with  
7 Sections 10 and 15 if the owner has conducted an inspection of  
8 the required fuel gas detectors immediately after their  
9 installation and has reinspected the fuel gas detectors prior  
10 to occupancy by each new tenant, unless the owner has been  
11 given at least 24 hours' actual notice of a defect or failure  
12 of a fuel gas detector's proper operation and has failed to  
13 take action to correct the defect or failure.

14 Section 35. Noninterference. A person may not knowingly  
15 interfere with or make inoperative any fuel gas detector  
16 required by this Act, except that the owner or the agent of an  
17 owner of a building may temporarily disconnect a fuel gas  
18 detector in a dwelling unit or common area only for  
19 construction or rehabilitation activities when such activities  
20 are likely to activate the fuel gas detector or make it  
21 inactive. The fuel gas detector must be immediately  
22 reconnected at the cessation of construction or rehabilitation  
23 activities each day, regardless of the intent to return to  
24 construction or rehabilitation activities on any succeeding

1 day.

2 Section 99. Effective date. This Act takes effect January  
3 1, 2025.".