



## 94TH GENERAL ASSEMBLY

### State of Illinois

2005 and 2006

HB3690

Introduced 2/24/2005, by Rep. Daniel J. Burke

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Carbon Monoxide Alarm Detector Act. Provides that every dwelling unit shall be equipped with at least one approved carbon monoxide alarm in an operating condition within 15 feet of every room used for sleeping purposes. Provides that the carbon monoxide alarm may be combined with smoke detecting devices provided that the combined unit complies with the respective provisions of the administrative code, reference standards, and departmental rules relating to both smoke detecting devices and carbon monoxide alarms and provided that the combined unit contains voice annunciation that clearly differentiates the hazard. Provides that it shall be the responsibility of the owner of a structure to supply and install all required alarms. Provides that it shall be the responsibility of a tenant to test and to provide general maintenance for the alarms within the tenant's dwelling unit or rooming unit, and to notify the owner or the authorized agent of the owner in writing of any deficiencies that the tenant cannot correct. Allows certain types of carbon monoxide alarms to be installed. Provides that willful failure to install or maintain in operating condition any carbon monoxide alarm required by the Act is a Class B misdemeanor. Provides that tampering with, removing, destroying, disconnecting, or removing the batteries from any installed carbon monoxide alarm, except in the course of inspection, maintenance, or replacement of the detector, is a Class A misdemeanor in the case of a first conviction, and a Class 4 felony in the case of a second or subsequent conviction.

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CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

1 AN ACT concerning safety.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Carbon  
5 Monoxide Alarm Detector Act.

6 Section 5. Definitions. In this Act:

7 "Approved carbon monoxide alarm" or "alarm" means a carbon  
8 monoxide alarm of the ionization or photoelectric type that  
9 complies with all the requirements of the rules and regulations  
10 of the Illinois State Fire Marshal.

11 "Dwelling unit" means a room or suite of rooms used for  
12 human habitation, and includes a single family residence as  
13 well as each living unit of a multiple family residence and  
14 each living unit in a mixed use building.

15 Section 10. Carbon monoxide detector.

16 (a) Every dwelling unit shall be equipped with at least one  
17 approved carbon monoxide alarm in an operating condition within  
18 15 feet of every room used for sleeping purposes. The carbon  
19 monoxide alarm may be combined with smoke detecting devices  
20 provided that the combined unit complies with the respective  
21 provisions of the administrative code, reference standards,  
22 and departmental rules relating to both smoke detecting devices  
23 and carbon monoxide alarms and provided that the combined unit  
24 contains voice annunciation that clearly differentiates the  
25 hazard.

26 (b) Every structure that contains more than one dwelling  
27 unit shall contain at least one approved carbon monoxide alarm  
28 in operating condition within 15 feet of every room used for  
29 sleeping purposes.

30 (c) It is the responsibility of the owner of a structure to  
31 supply and install all required alarms. It is the

1 responsibility of a tenant to test and to provide general  
2 maintenance for the alarms within the tenant's dwelling unit or  
3 rooming unit, and to notify the owner or the authorized agent  
4 of the owner in writing of any deficiencies that the tenant  
5 cannot correct. The owner is responsible for providing one  
6 tenant per dwelling unit with written information regarding  
7 alarm testing and maintenance.

8 The tenant is responsible for replacement of any required  
9 batteries in the carbon monoxide alarms in the tenant's  
10 dwelling unit, except that the owner shall ensure that the  
11 batteries are in operating condition at the time the tenant  
12 takes possession of the dwelling unit. The tenant shall provide  
13 the owner or the authorized agent of the owner with access to  
14 the dwelling unit to correct any deficiencies in the carbon  
15 monoxide alarm that have been reported in writing to the owner  
16 or the authorized agent of the owner.

17 (d) The requirements of this Section apply to any dwelling  
18 unit in existence on January 1, 2006, beginning on that date.  
19 Except as provided in subsection (e) of this Section, the  
20 carbon monoxide alarms required in these dwelling units may be  
21 either battery powered, plug-in with battery back-up, or wired  
22 into the structure's AC power line with secondary battery  
23 back-up.

24 (e) In the case of any dwelling unit that is newly  
25 constructed, reconstructed, or substantially remodeled after  
26 January 1, 2006, the requirements of this Section apply  
27 beginning on the first day of occupancy of the dwelling unit  
28 after the construction, reconstruction, or substantial  
29 remodeling. The carbon monoxide alarms required in these  
30 dwelling units shall be permanently wired into the structure's  
31 AC power line with secondary battery back-up.

32 Section 15. Violation.

33 (a) Willful failure to install or maintain in operating  
34 condition any carbon monoxide alarm required by this Act is a  
35 Class B misdemeanor.

1           (b) Tampering with, removing, destroying, disconnecting,  
2           or removing the batteries from any installed carbon monoxide  
3           alarm, except in the course of inspection, maintenance, or  
4           replacement of the alarm, is a Class A misdemeanor in the case  
5           of a first conviction, and a Class 4 felony in the case of a  
6           second or subsequent conviction.