

1 AN ACT concerning carbon monoxide detectors.

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
5 Carbon Monoxide Detector Act.

6 Section 5. Definitions. In this Act:

7 "Assembly unit" means a building or part of a building
8 designed or used for the assembly of persons for civic,
9 political, educational, religious, social, recreational, or
10 other similar activities. "Assembly unit" includes, without
11 limitation, the following: amphitheaters, aquariums,
12 armories, art galleries, assembly halls, auditoriums,
13 ballrooms, banquet halls, boards of trade, bowling alleys,
14 churches, community houses, community theatrical centers,
15 concert halls, convention halls, court rooms, dance halls,
16 exhibition areas, field houses, funeral parlors, gymnasiums,
17 lecture halls, libraries, motion picture houses, museums,
18 nightclubs, passenger stations, planetariums,
19 playhouses-in-the-round, radio and television studios,
20 recreation halls, restaurants, rinks, schools, indoor
21 stadiums, indoor swimming pools, taverns, and theaters.

22 "Family" means one or more persons each related to the
23 other by blood or adoption, together with those blood
24 relations' spouses, who are living together in a single
25 dwelling and maintaining a common household. A "family"
26 includes domestic servants and not more than one gratuitous
27 guest residing with the family. A "family" also consists of
28 the residents of a family home.

29 "Fossil fuel" includes, without limitation, coal, natural
30 gas, kerosene, oil, propane, and wood.

31 "Institutional unit" means a building or part of a

1 building designed or used for the harboring of 3 or more
2 persons for medical, correctional, penal, or other care,
3 treatment, or detention. "Institutional unit" includes,
4 without limitation, the following: hospitals; nursing homes,
5 including skilled care, intermediate care, and child care
6 nursing homes and homes for the developmentally disabled or
7 mentally retarded; sheltered care facilities, including
8 shelter care homes, homes for the aged, and residential care
9 or "halfway" homes; jails, asylums, and reformatories; day
10 care centers harboring children under 2 years of age; and
11 orphanages.

12 "Residential unit" means a building or part of a building
13 designed or used for one or more family units or designed or
14 used for sleeping accommodations other than for family units,
15 but does not include institutional units. "Residential unit"
16 includes the following:

17 (1) A single-family dwelling, which is a building
18 containing one dwelling unit only, one group home only,
19 or an intermediate care facility for 15 or fewer
20 developmentally disabled persons.

21 (2) A multiple dwelling, which is a building
22 designed or used for 2 or more family units or designed
23 or used for sleeping accommodations, other than for
24 family units, for more than 10 persons. A multiple
25 dwelling includes, without limitation, the following:
26 apartment buildings, boarding houses, clubs, convents,
27 dormitories, fraternities, group homes, hotels, housing
28 for elderly persons, lodging houses, monasteries, motels,
29 rooming houses, single-room occupancy buildings,
30 temporary overnight shelters (regardless of capacity),
31 tourist houses, and transitional shelters (regardless of
32 capacity).

33 "Warm air heating plant" means either of the following:

34 (1) A forced warm air heating plant, which consists

1 of one or more warm air furnaces, enclosed within
2 casings, together with necessary appurtenances thereto,
3 consisting of warm air pipes and fittings, cold air or
4 recirculating pipes, ducts, boxes, and fittings, smoke
5 pipes and fittings, registers, faces, and grilles,
6 blowers, or other means of moving or forcing warm air for
7 the purpose of heating the building in which they are
8 installed.

9 (2) A gravity warm air heating plant, which consists
10 of one or more warm air furnaces, enclosed within
11 casings, together with necessary appurtenances thereto,
12 consisting of warm air pipes and fittings, cold air or
13 recirculating pipes, ducts, boxes, and fittings, smoke
14 pipes and fittings, registers, borders, faces, and
15 grilles for the purpose of heating the building in which
16 they are installed.

17 Section 10. Carbon monoxide detectors required in
18 residential units. Every building of residential or mixed
19 occupancy and having one or more residential units must be
20 equipped with approved carbon monoxide detectors in
21 accordance with this Act.

22 Section 15. Exemptions. The following residential units
23 do not require carbon monoxide detectors:

24 (1) A residential unit in a building that (i) does
25 not rely on combustion of fossil fuel for heat,
26 ventilation, or hot water and (ii) is not sufficiently
27 close to any ventilated source of carbon monoxide, as
28 determined by rules adopted by the State Fire Marshal, to
29 receive carbon monoxide from that source.

30 (2) A residential unit that (i) is heated by steam,
31 hot water, or electric heat, (ii) is not connected by
32 ductwork or ventilation shafts to any room containing a

1 fossil fuel-burning boiler or heater, and (iii) is not
2 sufficiently close to any ventilated source of carbon
3 monoxide, as determined by rules adopted by the State
4 Fire Marshal, to receive carbon monoxide from that
5 source.

6 Section 20. Location of carbon monoxide detectors.

7 (a) Not less than one approved carbon monoxide detector
8 must be installed in each residential unit. The detector must
9 be installed within 40 feet of all rooms used for sleeping
10 purposes.

11 (b) In every hotel and motel, one approved carbon
12 monoxide detector must be installed for every 10,000 square
13 feet of floor area, or fraction thereof, (i) on every floor
14 on which a fossil fuel-burning boiler or furnace is located
15 and (ii) on every floor on which sleeping rooms are heated by
16 any type of warm air heating plant that burns fossil fuel.
17 Floor area must be computed separately for each floor.

18 Section 25. Dwelling units heated by space heaters. Each
19 dwelling unit employing space heating equipment that is
20 located within the dwelling unit and that burns fossil fuel
21 must be equipped with at least one carbon monoxide detector.

22 Section 30. Standards; rules.

23 (a) Every approved carbon monoxide detector (i) must
24 comply with all applicable federal and State regulations,
25 (ii) must bear the label of a nationally recognized standard
26 testing laboratory, and (iii) must meet the standard of UL
27 2034 or its equivalent.

28 (b) The State Fire Marshal shall adopt rules not
29 inconsistent with the provisions of this Act to implement and
30 administer this Act.

1 Section 35. Battery removal; penalty.

2 (a) It is unlawful for any person to remove batteries
3 from a carbon monoxide detector required under this Act or in
4 any way to make inoperable a carbon monoxide detector
5 required under this Act, except that this provision does not
6 apply to any building owner or manager or his or her agent in
7 the normal procedure of replacing batteries.

8 (b) Any person who violates this Section commits a Class
9 B misdemeanor.

10 Section 40. Residential unit owner and tenant
11 responsibilities.

12 (a) The owner of a structure must supply and install
13 required carbon monoxide detectors. The owner must test and
14 maintain carbon monoxide detectors located other than in a
15 dwelling unit. The owner must provide written information
16 regarding carbon monoxide testing and maintenance to at least
17 one adult tenant in each dwelling unit.

18 (b) A tenant must test, provide general maintenance for,
19 and replace required batteries for carbon monoxide detectors
20 located in the tenant's dwelling unit.

21 Section 45. Institutional and assembly units. Every new
22 or existing building or part of a building designed, erected,
23 altered, or converted for the purposes of an institutional
24 unit or an assembly unit must be equipped with approved
25 carbon monoxide detectors.

26 Section 50. Location of detectors in institutional and
27 assembly units.

28 (a) In every institutional unit and in every assembly
29 unit, not less than one approved carbon monoxide detector
30 must be installed per every 10,000 square feet, or fraction
31 thereof, (i) on every floor on which a fossil fuel-burning

1 appliance, boiler, or furnace is located and (ii) on every
2 floor heated by any type of warm air heating plant that burns
3 fossil fuel. Floor area must be computed separately for each
4 floor.

5 (b) On every floor of an institutional unit that contains
6 sleeping quarters, one approved carbon monoxide detector must
7 also be installed within 40 feet of all rooms used for
8 sleeping purposes that are either (i) located near a fossil
9 fuel-burning appliance, boiler, or furnace or (ii) heated by
10 any type of warm air heating plant that burns fossil fuel.

11 Section 55. Buildings heated by central fossil fuel
12 powered heating unit. In every building that is heated by one
13 main central fossil fuel powered heating unit and that is not
14 exempted under Section 15, one approved carbon monoxide
15 detector must be installed in the room containing the central
16 heating unit.

17 Section 60. Penalties. Any person who violates any
18 provision of this Act for which a separate penalty is not
19 provided commits a petty offense and is subject to a fine of
20 not less than \$300 and not more than \$1,000. Every day that a
21 violation is allowed to continue constitutes a separate and
22 distinct offense.

23 Section 99. Effective date. This Act takes effect on
24 January 1, 2003.