



Sen. Don Harmon

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LRB095 09015 WGH 35613 a

1 AMENDMENT TO SENATE BILL 487

2 AMENDMENT NO. _____. Amend Senate Bill 487 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Carbon Monoxide Alarm Detector Act is
5 amended by changing Sections 1, 5, 10, 15, and 20 as follows:

6 (430 ILCS 135/1)

7 Sec. 1. Short title. This Act may be cited as the Carbon
8 Monoxide Detector and Alarm ~~Detector~~ Act.

9 (Source: P.A. 94-741, eff. 1-1-07.)

10 (430 ILCS 135/5)

11 Sec. 5. Definitions. In this Act:

12 "Carbon ~~Approved carbon~~ alarm" ~~or "alarm"~~ means
13 either (1) an integrated carbon monoxide detector and alarm or
14 (2) an alarm connected to a carbon monoxide detector or
15 detectors located in proximity to a source of carbon monoxide,

1 provided that in either case all such alarms and detectors
2 comply with applicable ~~a carbon monoxide alarm that complies~~
3 ~~with all the requirements of the~~ rules and regulations of the
4 Illinois State Fire Marshal, bear ~~bears~~ the label of a
5 nationally recognized testing laboratory, and comply ~~complies~~
6 with the most recent standards of the Underwriters Laboratories
7 or the Canadian Standard Association. A carbon monoxide alarm
8 may be combined with smoke detecting devices, as defined in the
9 Smoke Detector Act, provided that the combined unit complies
10 with the respective provisions of the Illinois Administrative
11 Code, reference standards, and departmental rules relating to
12 both smoke detecting devices and carbon monoxide alarms and
13 provided that the combined unit emits an alarm in a manner that
14 clearly differentiates the hazard. A carbon monoxide alarm may
15 be battery powered, plugged into an electrical outlet within
16 the dwelling unit with secondary battery back-up, or wired into
17 the structure's dwelling unit's AC power line with secondary
18 battery back-up.

19 "Dwelling unit" means a room or suite of rooms used for
20 human habitation, and includes a single family residence as
21 well as each living unit of a multiple family residence, ~~and~~
22 ~~each living unit in a~~ mixed use building, hotel, or residential
23 health care facility.

24 "Hotel" means any building or buildings maintained,
25 advertised, or held out to the public to be a place where
26 lodging is offered for consideration to travelers and guests.

1 "Hotel" includes inns, motels, tourist homes or courts, bed and
2 breakfast establishments and lodging houses.

3 (Source: P.A. 94-741, eff. 1-1-07.)

4 (430 ILCS 135/10)

5 Sec. 10. Carbon monoxide alarm ~~detector~~.

6 (a) Every dwelling unit shall be equipped with:

7 (1) at least one approved carbon monoxide alarm in an
8 operating condition within 15 feet of every room used for
9 sleeping purposes; or

10 (2) a carbon monoxide alarm proximate to each source of
11 carbon monoxide and monitored at all times by on-site personnel
12 charged, pursuant to written protocols, with initiating an
13 orderly evacuation of the building in the event that the alarm
14 sounds, unless a local fire department has investigated the
15 building and determined that an evacuation is not warranted.

16 ~~The carbon monoxide alarm may be combined with smoke detecting~~
17 ~~devices provided that the combined unit complies with the~~
18 ~~respective provisions of the administrative code, reference~~
19 ~~standards, and departmental rules relating to both smoke~~
20 ~~detecting devices and carbon monoxide alarms and provided that~~
21 ~~the combined unit emits an alarm in a manner that clearly~~
22 ~~differentiates the hazard.~~

23 (b) (Blank). ~~Every structure that contains more than one~~
24 ~~dwelling unit shall contain at least one approved carbon~~
25 ~~monoxide alarm in operating condition within 15 feet of every~~

1 ~~room used for sleeping purposes.~~

2 (c) It is the responsibility of the owner of a dwelling
3 unit structure to supply and install all required carbon
4 monoxide alarms and to provide general maintenance for the
5 alarms.

6 (c-5) Notwithstanding the foregoing, in the case of a
7 dwelling unit leased to a tenant pursuant to a written lease,
8 it ~~it~~ is the responsibility of a tenant to test and to provide
9 general maintenance for the alarms within the tenant's dwelling
10 unit or rooming unit, and to notify the owner or the authorized
11 agent of the owner in writing of any deficiencies that the
12 tenant cannot correct, unless otherwise specified in the lease.
13 The owner is responsible for providing one tenant per dwelling
14 unit with written information regarding carbon monoxide alarm
15 testing and maintenance. The tenant is responsible for
16 replacement of any required batteries in the carbon monoxide
17 alarms in the tenant's dwelling unit, except that the owner
18 shall ensure that the batteries are in operating condition at
19 the time the tenant takes possession of the dwelling unit. The
20 tenant shall provide the owner or the authorized agent of the
21 owner with access to the dwelling unit to correct any
22 deficiencies in the carbon monoxide alarm that have been
23 reported in writing to the owner or the authorized agent of the
24 owner.

25 (d) (Blank). ~~The carbon monoxide alarms required under this~~
26 ~~Act may be either battery powered, plug in with battery~~

1 ~~back up, or wired into the structure's AC power line with~~
2 ~~secondary battery back up.~~

3 (Source: P.A. 94-741, eff. 1-1-07.)

4 (430 ILCS 135/15)

5 Sec. 15. Violation.

6 (a) Willful failure to install or maintain in operating
7 condition any carbon monoxide alarm required by this Act is a
8 petty offense. A violation of this subsection shall constitute
9 a separate offense for each affected room that is used for
10 sleeping purposes ~~Class B misdemeanor.~~

11 (b) Tampering with, removing, destroying, disconnecting,
12 or removing the batteries from any installed carbon monoxide
13 alarm, except in the course of inspection, maintenance, or
14 replacement of the alarm, is a Class A misdemeanor in the case
15 of a first conviction and a Class 4 felony in the case of a
16 second or subsequent conviction.

17 (c) Enforcement of the provisions of this Act may be
18 carried out by the Office of the State Fire Marshal and any
19 unit of local government that is authorized to enforce building
20 or fire prevention codes.

21 (Source: P.A. 94-741, eff. 1-1-07.)

22 (430 ILCS 135/20)

23 Sec. 20. Exemptions. The following dwelling ~~residential~~
24 units shall not require carbon monoxide alarms ~~detectors~~:

1 (1) A dwelling ~~residential~~ unit in a building that: (i)
2 does not rely on combustion of fossil fuel for heat,
3 ~~ventilation,~~ or hot water; (ii) is not connected in any way
4 to an attached ~~a~~ garage; and (iii) is not sufficiently
5 close to any ~~ventilated~~ source of carbon monoxide so as, ~~as~~
6 ~~determined by the local building commissioner,~~ to receive
7 carbon monoxide from that source.

8 (2) A dwelling ~~residential~~ unit that is not
9 sufficiently close to any source of carbon monoxide so as
10 to be at risk of receiving carbon monoxide from that
11 source, as determined by the local building commissioner.

12 (Source: P.A. 94-741, eff. 1-1-07.)".