

FEB 2 2005

COMMERCE, REGULATION & LABOR

HOUSE FILE 181
BY HOGG

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act requiring carbon monoxide detectors in certain multiple-
2 unit residential buildings and making penalties applicable.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 181

1 Section 1. Section 100.18, Code 2005, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 2B. a. Multiple-unit residential
4 buildings the construction of which is begun on or after July
5 1, 2005, shall include the installation of carbon monoxide
6 detectors in compliance with the rules established by the
7 state fire marshal under subsection 4.

8 b. The rules shall require the installation of carbon
9 monoxide detectors in existing multiple-unit residential
10 buildings. The state fire marshal shall adopt rules and
11 establish appropriate procedures to administer this
12 subsection.

13 c. An owner or an owner's agent of a multiple-unit
14 residential building shall supply light-emitting carbon
15 monoxide detectors, upon request, for a tenant with a hearing
16 impairment.

17 Sec. 2. Section 100.18, subsections 4, 6, and 7, Code
18 2005, are amended to read as follows:

19 4. The state fire marshal shall enforce the requirements
20 of ~~subsection~~ subsections 2 and 2B and may implement a program
21 of inspections to monitor compliance with the provisions of
22 ~~that-subsection~~ those subsections. Upon inspection, the state
23 fire marshal shall issue a written notice to the owner or
24 manager of a multiple-unit residential building or single-
25 family dwelling informing the owner or manager of compliance
26 or noncompliance with this section. The state fire marshal
27 may contract with any political subdivision without fee
28 assessed to either the state fire marshal or the political
29 subdivision, for the performance of the inspection and
30 notification responsibilities. The inspections authorized
31 under this section are limited to the placement, repair, and
32 operability of smoke detectors and carbon monoxide detectors.
33 Any broader inspection authority is not derived from this
34 section. The state fire marshal shall adopt rules under
35 chapter 17A as necessary to enforce this section including

1 rules concerning the placement of smoke detectors and carbon
2 monoxide detectors and the use of acceptable smoke detectors
3 and carbon monoxide detectors. The smoke detectors and carbon
4 monoxide detectors shall display a label or other
5 identification issued by an approved testing agency or another
6 label specifically approved by the state fire marshal.

7 6. If a smoke detector or carbon monoxide detector is
8 found to be inoperable in a multiple-unit residential
9 building, or if a smoke detector is found to be inoperable in
10 a single-family dwelling, the owner or manager of the
11 multiple-unit residential building or single-family dwelling
12 shall correct the situation within fourteen days after written
13 notification to the owner or manager by the tenant, guest,
14 roomer, state fire marshal, fire marshal's subordinates,
15 chiefs of local fire departments, building inspectors, or
16 other fire, building, or safety officials. If the owner or
17 manager of a multiple-unit residential building fails to
18 correct the situation within the fourteen days the tenant,
19 guest, or roomer may cause the smoke detector or carbon
20 monoxide detector to be repaired or purchase and install a
21 smoke detector or carbon monoxide detector required under this
22 section and may deduct the repair cost or purchase price from
23 the next rental payment or payments made by the tenant, guest,
24 or roomer. However, a lessor or owner may require a lessee,
25 tenant, guest, or roomer who has a residency of longer than
26 thirty days to provide the battery for a battery operated
27 smoke detector or carbon monoxide detector.

28 7. No person may render inoperable a smoke detector, or
29 carbon monoxide detector which is required to be installed by
30 this section, by tampering.

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EXPLANATION

32 This bill amends current law that requires smoke detectors
33 in multiple-unit residential buildings and single-family
34 dwellings to also require the installation of carbon monoxide
35 detectors in multiple-unit residential buildings. Multiple-

1 unit residential buildings are defined to include residential
2 buildings, apartment houses, hotels, dormitories, and rooming
3 houses.

4 The bill requires the installation of carbon monoxide
5 detectors in multiple-unit residential buildings constructed
6 on or after July 1, 2005. In addition, the state fire marshal
7 shall adopt rules for the installation of carbon monoxide
8 detectors in existing multiple-unit residential buildings.
9 Owners of a multiple-unit residential building are also
10 required to supply light-emitting carbon monoxide detectors
11 for hearing-impaired tenants.

12 Current requirements applicable to smoke detectors are also
13 made applicable to carbon monoxide detectors in the bill. The
14 bill provides that the state fire marshal shall enforce the
15 requirements of the bill concerning carbon monoxide detectors
16 and provides that an occupant of a multiple-unit residential
17 building in which the owner fails to install or fix a carbon
18 monoxide detector within 14 days of receiving written notice
19 may deduct the cost of fixing or installing a carbon monoxide
20 detector from the next rental payment. In addition, a person
21 is prevented from making a carbon monoxide detector
22 inoperable. A person who violates a provision of the bill
23 concerning carbon monoxide detectors is guilty of a simple
24 misdemeanor.

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