



General Assembly

January Session, 2011

Amendment

LCO No. 8718

HB0532608718SR0

Offered by:
SEN. SUZIO, 13th Dist.

To: Subst. House Bill No. 5326

File No. 95

Cal. No. 648

(As Amended)

**"AN ACT REQUIRING THE PRESENCE OF CARBON MONOXIDE
DETECTORS IN ALL PUBLIC SCHOOLS."**

1 Strike subdivision (1) of subsection (a) of section 1 in its entirety and
2 insert the following in lieu thereof:

3 "(a) (1) The State Fire Marshal and the Codes and Standards
4 Committee shall adopt and administer a Fire Safety Code and at any
5 time may amend the same. The code shall be based on a nationally
6 recognized model fire code and shall be revised not later than January
7 1, 2005, and thereafter as deemed necessary to incorporate advances in
8 technologies and improvements in construction materials and any
9 subsequent revisions to the code not later than eighteen months
10 following the date of first publication of such revisions to the code,
11 unless the State Fire Marshal and the committee certify that a revision
12 is not necessary for such purpose. The regulations in said code shall
13 provide for reasonable safety from fire, smoke and panic therefrom, in
14 all buildings and areas adjacent thereto except in private dwellings

15 occupied by one or two families and upon all premises, and shall
16 include provision for [(1)] (A) carbon monoxide detection and warning
17 equipment in (i) new residential buildings not exempt under
18 regulations adopted pursuant to this subsection and designed to be
19 occupied by one or two families for which a building permit for new
20 occupancy is issued on or after October 1, 2005, and [(2)] (ii) all public
21 school buildings, and (B) smoke detection and warning equipment in
22 [(A)] (i) residential buildings designed to be occupied by two or more
23 families, [(B)] (ii) new residential buildings designed to be occupied by
24 one family for which a building permit for new occupancy is issued on
25 or after October 1, 1978, requiring equipment complying with the Fire
26 Safety Code, and [(C)] (iii) new residential buildings designed to be
27 occupied by one or more families for which a building permit for new
28 occupancy is issued on or after October 1, 1985, requiring equipment
29 capable of operation using alternating current and batteries."

30 Strike subdivision (3) of subsection (a) of section 1 in its entirety and
31 insert the following in lieu thereof:

32 "(3) (A) Said regulations shall provide the requirements and
33 specifications for the installation and use of carbon monoxide detection
34 and warning equipment and shall include, but not be limited to, the
35 location, power requirements and standards for such equipment and
36 exemptions for buildings that do not pose a risk of carbon monoxide
37 poisoning due to sole dependence on systems that do not emit carbon
38 monoxide; [.] (B) Said regulations shall also provide the requirements
39 for testing and inspecting carbon monoxide detection and warning
40 equipment installed in public school buildings and shall include, but
41 not be limited to, the frequency with which such equipment shall be
42 tested and inspected; (C) require that, for a public school building, (i)
43 any carbon monoxide detection equipment installed in any such
44 building meet or exceed the Underwriter's Laboratories Standard
45 Number 2075, or (ii) any carbon monoxide warning equipment
46 installed in any such building meet or exceed the Underwriter's
47 Laboratories Standard Number 2034; (D) require the installation and
48 maintenance of such detection or warning equipment to comply with

49 the manufacturer's instructions and with the standards set forth by the
50 National Fire Protection Association; and (E) prohibit, for public school
51 buildings for which a building permit for new occupancy is issued on
52 or after January 1, 2012, the installation of any battery-operated carbon
53 monoxide warning equipment or any plug-in carbon monoxide
54 warning equipment that has a battery as its back-up power source."

55 Strike subdivision (2) of subsection (b) of section 1 in its entirety and
56 insert the following in lieu thereof:

57 "(2) No certificate of occupancy shall be issued for any (A) new
58 residential building not exempt under regulations adopted pursuant to
59 subsection (a) of this section and designed to be occupied by one or
60 two families for which a building permit for new occupancy is issued
61 on or after October 1, 2005, or (B) public school building for which a
62 building permit for new occupancy is issued on or after January 1,
63 2012, unless the local fire marshal or building official has certified that
64 [said] such residential or school building is equipped with carbon
65 monoxide detection and warning equipment complying with the Fire
66 Safety Code."

67 After subsection (b) of section 1, insert the following:

68 "(c) (1) No municipality, or local or regional board of education, and
69 (2) no employee, officer or agent of such municipality or board of
70 education acting without malice, in good faith and within the scope of
71 his or her employment or official duties shall be liable for any damage
72 to any person or property resulting from the failure to detect carbon
73 monoxide within a public school building, provided carbon monoxide
74 detection equipment is installed and maintained in accordance with
75 the manufacturer's published instructions and with the regulations
76 established pursuant to this section."