

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 13-272—sHB 6160

*Public Safety and Security Committee
Insurance and Real Estate Committee*

**AN ACT REQUIRING WORKING SMOKE AND CARBON MONOXIDE
DETECTORS IN CERTAIN RESIDENTIAL BUILDINGS AT THE TIME
TITLE IS TRANSFERRED**

SUMMARY: This act, with exceptions, requires a seller, before transferring title to a one- or two-family dwelling for which a new occupancy building permit was issued before October 1, 2005, to give the buyer an affidavit certifying that the (1) permit was issued on or after October 1, 1985 or (2) dwelling is equipped with smoke detection and warning equipment (smoke detectors) complying with the act. The affidavit must also certify that the building (1) is equipped with carbon monoxide (CO) detection and warning equipment (CO detector) complying with the act or (2) does not pose a risk of CO poisoning because it does not have a fuel-burning appliance, fireplace, or attached garage (see BACKGROUND). A transferor who fails to provide the affidavit must credit the transferee with \$250 at the closing.

The act specifies the standards that the CO and smoke detectors must meet.

EFFECTIVE DATE: January 1, 2014

SMOKE AND CO DETECTOR EQUIPMENT STANDARDS

The CO detectors required by the act must be able to show the amount of CO present as a reading in parts per million. The smoke detectors must be able to sense visible or invisible smoke particles and be installed in the immediate vicinity of each bedroom. Both may be battery-operated and must:

1. be installed in accordance with the manufacturer's instructions;
2. not exceed the standards under which they were tested and approved; and
3. be capable of providing an alarm suitable to warn occupants, when activated.

EXEMPTIONS FROM AFFIDAVIT REQUIREMENT

The act exempts from the affidavit requirement transfers:

1. from one co-owner to another;
2. to the transferor's spouse, parent, sibling, child, grandparent, or grandchild where no consideration is paid;
3. under a court order;
4. by the federal government or any of its political subdivisions;
5. by deed in lieu of foreclosure;
6. involving refinancing of an existing mortgage debt;
7. by mortgage deed or other instrument to secure a debt where the

OLR PUBLIC ACT SUMMARY

- transferor's title to the property is subject to a preexisting mortgage debt;
or
8. by executors, administrators, trustees, or conservators.

BACKGROUND

Disclosures on Residential Condition Report

Under existing law, sellers must indicate on the residential condition report they provide to prospective purchasers whether a one- to four-unit building contains smoke and CO detectors, the number of such detectors, and the nature of any problems with them (CGS § 20-327b).

CO and Smoke Detector Requirements With Regard to October 1, 1985 and October 1, 2005

Existing law requires smoke detectors capable of operating on alternating current and batteries to be in one- and two- family dwellings issued a building permit for new occupancy on or after October 1, 1985. It generally requires CO detectors in new one- and two- family dwellings issued a building permit for new occupancy on or after October 1, 2005 (CGS § 29-292).

OLR Tracking: VR:JO:PF:ts