



General Assembly

February Session, 2014

Raised Bill No. 427

LCO No. 2087



Referred to Committee on PUBLIC SAFETY AND SECURITY

Introduced by:
(PS)

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

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 29-453 of the 2014 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective October 1, 2014*):

4 (a) Prior to transferring title to any real property containing a
5 residential building designed to be occupied by one or two families,
6 including cooperatives and condominiums, for which a building
7 permit for new occupancy was issued prior to October 1, 2005, the
8 transferor of such real property shall present to the transferee an
9 affidavit certifying to the best knowledge and belief of the transferor
10 (1) that such building permit for new occupancy was issued on or after
11 October 1, 1985, or that such residential building is equipped with
12 smoke detection and warning equipment complying with this section,
13 and (2) that such residential building is equipped with carbon
14 monoxide detection and warning equipment complying with this

15 section or does not pose a risk of carbon monoxide poisoning because
16 such residential building does not contain a fuel-burning appliance,
17 fireplace or attached garage. Any representations made by such
18 transferor on the affidavit shall not be construed to create any new
19 implied or express warranties on behalf of the transferor.

20 (b) Any transferor who fails to comply with the provisions of
21 subsection (a) of this section shall credit the transferee with the sum of
22 two hundred fifty dollars at closing.

23 (c) Any smoke detection and warning equipment required pursuant
24 to subsection (a) of this section shall (1) be capable of sensing visible or
25 invisible smoke particles, (2) be installed in accordance with the
26 manufacturer's instructions, and [in the immediate vicinity of each
27 bedroom, (3) not exceed the standards under which such equipment
28 was tested and approved, and (4)] (3) be capable of providing an alarm
29 suitable to warn occupants when such equipment is activated. Such
30 equipment may be operated using batteries.

31 (d) Any carbon monoxide detection and warning equipment
32 required pursuant to subsection (a) of this section shall (1) be capable
33 of showing the amount of carbon monoxide present as a reading in
34 parts per million, (2) be installed in accordance with the
35 manufacturer's instructions, and (3) [not exceed the standards under
36 which such equipment was tested and approved, and (4)] be capable of
37 providing an alarm suitable to warn occupants when such equipment
38 is activated. Such equipment may be operated using batteries.

39 (e) The following shall be exempt from the requirements of
40 subsections (a) and (b) of this section: (1) Any transfer from one or
41 more coowners solely to one or more of the other coowners; (2)
42 transfers made to the spouse, mother, father, brother, sister, child,
43 grandparent or grandchild of the transferor where no consideration is
44 paid; (3) transfers pursuant to an order of the court; (4) transfers by the
45 federal government or any political subdivision thereof; (5) transfers

46 by a judgment of strict foreclosure by foreclosure by sale or by deed in
 47 lieu of foreclosure; (6) any transfer of title incident to the refinancing of
 48 an existing debt secured by a mortgage; (7) transfers by mortgage deed
 49 or other instrument to secure a debt where the transferor's title to the
 50 real property being transferred is subject to a preexisting debt secured
 51 by a mortgage; [and] (8) transfers made by executors, administrators,
 52 trustees or conservators; (9) transfers by short sale; and (10) transfers
 53 that occur not later than six months after the date on which the
 54 property was previously conveyed to the transferor if the transferor is
 55 (A) an employer that acquired the property from an employee
 56 pursuant to an employee relocation plan, or (B) an entity in the
 57 business of purchasing and selling residential property of employees
 58 who are being relocated pursuant to an employee relocation plan. For
 59 purposes of this section, "short sale" has the same meaning as provided
 60 in subdivision (5) of subsection (a) of section 36a-671.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2014	29-453

Statement of Purpose:

To require the affidavit regarding smoke and carbon monoxide detectors to be based on the transferor's knowledge and belief at the time the title is transferred and to exempt certain transfers.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]