



Substitute House Bill No. 6580

Public Act No. 23-164

**AN ACT REVISING REQUIREMENTS FOR THE AFFIDAVIT
RELATED TO SMOKE AND CARBON MONOXIDE DETECTORS IN
RESIDENTIAL BUILDINGS.**

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

Section 1. Section 29-453 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2023*):

(a) [Prior to transferring title to] At the time of closing on a transaction involving any real property containing a residential building designed to be occupied by one or two families or containing a unit in a residential common interest community, the transferor of such real property shall present to the transferee an affidavit [certifying] stating (1) that such residential building or unit is equipped with smoke detection and warning equipment complying with this section, [the Fire Safety Code, the State Fire Prevention Code and the State Building Code,] and (2) that such residential building or unit is equipped with carbon monoxide detection and warning equipment complying with this section or does not pose a risk of carbon monoxide poisoning because such residential building or unit does not contain a fuel-burning appliance, fireplace or attached garage. Nothing in the affidavit shall constitute a warranty beyond the transfer of title. The affidavit shall be signed and dated by the transferor.

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

[(c)] (b) Any smoke detection and warning equipment required pursuant to subsection (a) of this section shall: [be:

(1) Capable of sensing visible or invisible smoke particles;

(2) Installed in accordance with the manufacturer's instructions and in the immediate vicinity of each bedroom;

(3) Capable of providing an alarm suitable to warn occupants when such equipment is activated;

(4) Powered by the household electrical service, except such equipment may be battery powered in a residential building for which a building permit for new occupancy was issued prior to October 1, 1976;

(5) In a residential building for which a building permit for new occupancy was issued on or after October 16, 1989, interconnected in such a manner that the activation of the alarm on any smoke detection and warning equipment in the residential building causes the alarm on all smoke detection and warning equipment in such building to activate; and

(6) In a residential building for which a building permit for new occupancy was issued on or after May 1, 1999, located in all sleeping areas.]

(1) Be installed in or in the immediate vicinity of each bedroom; and

(2) Produce an audible alarm when the equipment's test button is depressed.

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(c) The affidavit required by subsection (a) of this section shall specify, if applicable, to the best of the transferor's knowledge whether the smoke detection and warning equipment:

(1) Is battery powered;

(2) Is located in or in the immediate vicinity of each bedroom;

(3) Is powered by the household electrical service;

(4) Is interconnected in such a manner that activation of the alarm on any such equipment in the residential building or unit causes the alarm on all such equipment in the building or unit to activate, provided that for any residential building or unit constructed prior to January 1, 1990, a transferor may specify on the affidavit that the conditions requiring such equipment to be interconnected are not applicable to the building or unit; and

(5) Contains the following statement: "State law requires that all properties have operable smoke and carbon monoxide detection and warning equipment. This law is to save lives – your life, and the lives of your family members and your pets—as well as to protect your property."

(d) The Office of the State Fire Marshal shall (1) in consultation with an association representing the interests of realtors, a bar association and an association representing the interests of fire marshals, develop a model form that may be used for the affidavit required by subsection (a) of this section, and (2) in consultation with an association representing the interests of fire marshals, develop a guide outlining smoke detection and warning equipment requirements to assist transferors with the completion of such affidavit.

[(d)] (e) Any carbon monoxide detection and warning equipment required pursuant to subsection (a) of this section [shall be (1) capable

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of sensing carbon monoxide present in parts per million, (2) installed in accordance with the manufacturer's instructions, and (3) capable of providing an alarm suitable to warn occupants when such equipment is activated. Such equipment] may be operated using batteries and shall produce an audible alarm when the equipment's test button is depressed.

[(e)] (f) The following shall be exempt from the requirements of [subsections (a) and (b) of] this section: (1) Any transfer from one or more coowners solely to one or more of the other coowners; (2) transfers made to the spouse, mother, father, brother, sister, child, grandparent or grandchild of the transferor where no consideration is paid; (3) transfers pursuant to an order of the court; (4) transfers by the federal government or any political subdivision thereof; (5) transfers by deed in lieu of foreclosure; (6) any transfer of title incident to the refinancing of an existing debt secured by a mortgage; (7) transfers by mortgage deed or other instrument to secure a debt where the transferor's title to the real property being transferred is subject to a preexisting debt secured by a mortgage; [and] (8) transfers made by executors, administrators, trustees or conservators; and (9) any transfer of property acquired by a judgment of strict foreclosure or by foreclosure by sale.

Approved June 27, 2023