

As Introduced

**127th General Assembly
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H. B. No. 476

Representative Reinhard

Cosponsors: Representatives Flowers, McGregor, J., Ujvagi, Webster, Yuko

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A B I L L

To enact section 3781.106 of the Revised Code to 1
require owners of single-family and multifamily 2
dwellings that utilize fossil fuels for heating or 3
other purposes to have carbon monoxide alarms 4
installed in those dwellings. 5

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 3781.106 of the Revised Code be 6
enacted to read as follows: 7

Sec. 3781.106. (A) As used in this section: 8

(1) "Approved carbon monoxide alarm" means a device that 9
fulfills all of the following requirements: 10

(a) Detects carbon monoxide, produces a distinct audible 11
alarm upon such detection, and is certified by a nationally 12
recognized, independent, nonprofit product-safety testing and 13
certification laboratory, including, but not limited to, the 14
underwriters laboratories or Canadian standard association, to 15
conform to the standards set forth by the underwriters 16
laboratories in UL 2034; 17

(b) Is battery powered, plug-in with battery back-up, or 18

hard-wired into the dwelling's alternating current power line with 19
a secondary battery back-up; 20

(c) May be combined with a smoke detecting device, provided 21
that the combined device complies with laws applicable to both 22
smoke detecting devices and carbon monoxide alarms and emits an 23
alarm in a manner that clearly distinguishes between the carbon 24
monoxide and smoke hazards. 25

(2) "Fossil fuel" means coal, kerosene, oil, wood, fuel 26
gases, and other petroleum or hydrocarbon products that emit 27
carbon monoxide as a by-product of combustion. 28

(3) "Installed" means that a carbon monoxide alarm is 29
hard-wired into the electrical wiring; directly plugged into an 30
electrical outlet without a switch, other than a circuit breaker; 31
or if the alarm is battery-powered, attached to the wall or 32
ceiling of the dwelling in accordance with the standards set forth 33
by the national fire protection association in NFPA 720. 34

(4) "Operational" means working and in service in accordance 35
with the manufacturer's instructions. 36

(5) "Single-family or multifamily dwelling" means any 37
building or structure that is wholly or partly used or intended to 38
be used for living, sleeping, or lodging by human occupants. 39

(B) The owner of every single-family or multifamily dwelling 40
that has a fossil-fuel burning heater or appliance, fireplace, or 41
an attached garage shall have an operational, approved carbon 42
monoxide alarm installed within ten feet of each room regularly 43
used for sleeping purposes. 44

(C) Division (B) of this section does not apply if a 45
multifamily dwelling has operational, approved carbon monoxide 46
alarms installed not less than ten and not more than twenty-five 47
feet away from each carbon monoxide producing central fixture or 48
equipment located in that multifamily dwelling and has a 49

centralized alarm system or other mechanism that enables occupants 50
to hear the approved carbon monoxide alarm at all times. 51

(D) The owner of a single-family or multifamily dwelling that 52
is leased to tenants shall fulfill each of the following 53
requirements: 54

(1) Replace any approved carbon monoxide alarm required by 55
division (B) or described in division (C) of this section that is 56
stolen, removed, or rendered inoperable in a single-family or 57
multifamily dwelling before any new occupant takes residence in 58
that single-family or multifamily dwelling; 59

(2) Ensure that the batteries in the approved carbon monoxide 60
alarms required by division (B) or described in division (C) of 61
this section are in operating condition at the time any new 62
occupant takes residence in that single-family or multifamily 63
dwelling. 64

(E) The owner of a single-family or multifamily dwelling that 65
is leased to tenants is not responsible for the maintenance, 66
repair, or replacement of an approved carbon monoxide alarm or the 67
care and replacement of batteries for an approved carbon monoxide 68
alarm during the time a tenant occupies the single-family or 69
multifamily dwelling. 70

(F) A tenant who is leasing a single-family or multifamily 71
dwelling shall fulfill all of the following requirements with 72
respect to each approved carbon monoxide alarm installed in the 73
single-family or multifamily dwelling that the tenant is leasing: 74

(1) Keep and maintain each approved carbon monoxide alarm in 75
good repair; 76

(2) Periodically test each approved carbon monoxide alarm; 77

(3) Replace the batteries in each approved carbon monoxide 78
alarm as necessary to ensure that the approved carbon monoxide 79

alarm remains operational; 80

(4) Replace any approved carbon monoxide alarm that is 81
stolen, removed, or rendered inoperable during the time the tenant 82
occupies the single-family or multifamily dwelling; 83

(5) Notify the owner of the single-family or multifamily 84
dwelling, or an authorized agent of that owner, in writing, of any 85
deficiencies of any approved carbon monoxide alarm that the tenant 86
cannot correct. 87

(G) No person shall remove batteries from, or in any way 88
render inoperable, an approved carbon monoxide alarm required by 89
division (B) or described in division (C) of this section, except 90
as part of a process to inspect, maintain, repair, or replace the 91
approved carbon monoxide alarm or batteries for an approved carbon 92
monoxide alarm. 93

Section 2. Section 1 shall take effect ninety days after the 94
effective date of this act. 95