

SECOND REGULAR SESSION

HOUSE BILL NO. 2429

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE McCLANAHAN.

5492L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 320, RSMo, by adding thereto one new section relating to detection devices, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 320, RSMo, is amended by adding thereto one new section, to be known as section 320.066, to read as follows:

320.066. 1. The following terms shall mean:

- (1) "Approved carbon monoxide alarm", a device meant for the purpose of detecting carbon monoxide that is certified by a nationally recognized testing laboratory to conform to the latest Underwriters Laboratories Standards;
 - (2) "Approved smoke alarm", a device meant for the purpose of detecting smoke and products of combustion that is certified by a nationally recognized testing laboratory to conform to the latest Underwriters Laboratories Standards;
 - (3) "Backup battery", a secondary internal power source of different current voltage that is certified by a nationally recognized testing laboratory to conform to the latest Underwriters Laboratories Standards;
 - (4) "Dwelling unit", a single unit providing complete, independent living facilities for one or more persons, whether occupied or vacant;
 - (5) "Interconnected", electrically wired in such a manner that the activation of one smoke alarm will activate all of the smoke alarms in the dwelling unit;
 - (6) "Operational", working and in service.
2. (1) Every newly constructed residential property or rental property that is a dwelling unit where a carbon monoxide hazard may exist shall be equipped with an

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 approved and operational carbon monoxide alarm installed within ten feet of each room
19 used for sleeping purposes. Such alarm shall be hard-wired, powered by the building's
20 wiring and shall be equipped with a battery backup and installed in accordance with the
21 National Fire Protection Association's Standard for the Installation of Carbon Monoxide
22 Warning Equipment in Dwelling Units (NFPA 720), current edition, and the
23 manufacturer's recommendation. Wiring shall be permanent and without a disconnecting
24 switch except as required for over-current protection.

25 (2) Upon the sale of an existing residential leased or rental property or upon any
26 change or renewal of a lease or rental agreement of a rental property that is a dwelling unit
27 where a carbon monoxide hazard may exist, such carbon monoxide alarm shall be installed
28 within ten feet of each room used for sleeping. Such alarm shall be powered by the
29 building's wiring, directly or indirectly, and shall be equipped with a battery backup.
30 Wiring shall be permanent and without a disconnecting switch except as required for over-
31 current protection.

32 (3) For purposes of subdivisions (1) and (2) of this subsection, a carbon monoxide
33 hazard shall be defined as:

34 (a) Any dwelling with an attached garage; or

35 (b) Any dwelling serviced by fossil or wood or solid fuel fired appliances.

36 3. (1) The owner of each existing residential leased or rental dwelling unit shall
37 install at least one approved battery-operated smoke alarm prior to new occupancy of such
38 dwelling unit at the following locations and per manufacturer's recommendations:

39 (a) On the ceiling or wall within ten feet of each room used for sleeping purposes;
40 and

41 (b) Inside each room used for sleeping purposes; and

42 (c) On each level within the dwelling unit including the basement but not to include
43 crawl spaces or uninhabited spaces.

44 (2) The smoke alarm shall be capable of sensing visible or invisible particles of
45 combustion and emitting an audible signal and shall comply with all the specifications of
46 the Underwriters Laboratories Standards. The alarm shall be clearly audible in all
47 bedrooms over background noise levels with all intervening doors closed. The smoke
48 alarm shall emit a signal when the batteries are low.

49 (3) In all newly constructed residential or rental property that is a dwelling unit,
50 smoke alarms shall be installed per current edition of the National Fire Protection
51 Association National Fire Alarm Code (NFPA 72) and shall receive primary power from
52 the building's wiring and shall be equipped with a battery backup. Wiring shall be
53 permanent and without a disconnecting switch except as required for over-current

54 protection. The smoke alarm shall be interconnected so that alarm activation of one alarm
55 will activate all the smoke alarms in the dwelling unit.

56 4. The owner of a rental or leased property that is a dwelling unit required to be
57 equipped with one or more approved carbon monoxide or smoke alarms shall:

58 (1) Provide and install one approved and operational carbon monoxide or smoke
59 alarm within ten feet of each room used for sleeping;

60 (2) Upon discovery, replace any required carbon monoxide or smoke alarm that has
61 been stolen, removed, found missing, or rendered inoperable within the dwelling unit;

62 (3) Keep and maintain the device in good repair.

63 5. The tenant of any rental or leased dwelling unit shall immediately report any
64 malfunction of or damage to a required carbon monoxide alarm or smoke alarm to the
65 owner of the property or the owner's assigned agent.

66 6. This section shall not apply to any political subdivision adopting or having
67 adopted a code, ordinance, order, or regulation equal to or more stringent than the
68 requirements of this section.

69 7. (1) Willful failure to install or maintain in operating condition any carbon
70 monoxide alarm or smoke alarm required by this section is a class B misdemeanor.

71 (2) Tampering with, removing, destroying, disconnecting, or removing the batteries
72 from any installed carbon monoxide alarm or smoke alarm, except in the course of
73 inspection, maintenance, or replacement of the alarm, is a class A misdemeanor in the case
74 of a first conviction and a class D felony in the case of a second or subsequent conviction.

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