

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 SUBCOMMITTEE RECOMMENDATION
4 FOR

5 HOUSE BILL NO. 2728

6 By: Inman

7 SUBCOMMITTEE RECOMMENDATION

8 An Act relating to carbon monoxide detectors;
9 requiring certain persons to install certain carbon
10 monoxide detectors; defining term; providing for
11 penalties; prohibiting municipalities from enacting
12 certain ordinances; authorizing Commission to
13 promulgate certain rules; authorizing municipalities
14 to enact certain ordinances; providing for
15 codification; and providing an effective date.

16 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

17 SECTION 1. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 324.11d of Title 74, unless
19 there is created a duplication in numbering, reads as follows:

20 A. Any person, partnership, corporation, organization, the
21 state, or city, town, county, or other subdivision of this state,
22 owning a building or structure used as a hotel, motel, rest home,
23 nursing home, day nursery, convalescent home, or child care
24 institution existing or constructed in the State of Oklahoma, shall
install in such building or structure a carbon monoxide detector or

1 detectors in accordance with the nationally recognized codes,
2 standards, or practices adopted by the State Fire Marshal
3 Commission.

4 B. For the purpose of this section, "carbon monoxide detector"
5 means a device which is:

6 1. Designed to detect the presence of carbon monoxide gas;

7 2. Designed with an alarm audible to the rooms it serves;

8 3. Powered by either battery, alternating current, or other
9 power source; and

10 4. Tested and listed for use as a carbon monoxide detector by a
11 recognized testing laboratory.

12 C. Any person who violates any provision of this section or any
13 person who tampers with, removes, destroys, disconnects or removes
14 power from any installed carbon monoxide detector, except in the
15 course of inspection, maintenance or replacement of the detector,
16 upon conviction, is guilty of a misdemeanor and may be fined not
17 less than Fifty Dollars (\$50.00) nor more than One Hundred Dollars
18 (\$100.00).

19 D. Nothing in this section shall be construed to allow any
20 political subdivision in this state to enact ordinances imposing
21 upon owners of any dwelling described in subsection A of this
22 section a greater duty with regard to the installation, testing,
23 repair and replacement of carbon monoxide detectors than is required
24 by this section.

1 E. The State Fire Marshal Commission shall prescribe, adopt,
2 and promulgate the rules necessary to effectuate the provisions of
3 this section which shall include a practical timetable for
4 compliance with the provisions of this act.

5 F. Municipalities may enact ordinances in order to enforce the
6 rules of the State Fire Marshal Commission as provided by this
7 section.

8 SECTION 2. This act shall become effective November 1, 2012.

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