

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 53rd Legislature (2012)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2728

By: Inman, Dorman and Hoskin of
the House

and

Sparks of the Senate

7
8
9
10 COMMITTEE SUBSTITUTE

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

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

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

23 A. Any person, partnership, corporation, organization, the
24 state, or city, town, county, or other subdivision of this state,

1 owning a building or structure used as a hotel, motel, rest home,
2 nursing home, day nursery, convalescent home, or child care
3 institution existing or constructed in the State of Oklahoma, shall
4 install in such building or structure a carbon monoxide detector or
5 detectors in accordance with the nationally recognized codes,
6 standards, or practices adopted by the State Fire Marshal
7 Commission.

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

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

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

12 3. Powered by either battery, alternating current, or other
13 power source; and

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

16 C. Any person who violates any provision of this section or any
17 person who tampers with, removes, destroys, disconnects or removes
18 power from any installed carbon monoxide detector, except in the
19 course of inspection, maintenance or replacement of the detector,
20 upon conviction, is guilty of a misdemeanor and may be fined not
21 less than Fifty Dollars (\$50.00) nor more than One Hundred Dollars
22 (\$100.00).

23

24

1 D. Nothing in this section shall be construed to allow any
2 political subdivision in this state to enact ordinances imposing
3 upon owners of any dwelling described in subsection A of this
4 section a greater duty with regard to the installation, testing,
5 repair and replacement of carbon monoxide detectors than is required
6 by this section.

7 E. The State Fire Marshal Commission shall prescribe, adopt,
8 and promulgate the rules necessary to effectuate the provisions of
9 this section which shall include a practical timetable for
10 compliance with the provisions of this act.

11 F. Municipalities may enact ordinances in order to enforce the
12 rules of the State Fire Marshal Commission as provided by this
13 section.

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

15

16 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
17 03/01/2012 - DO PASS, As Amended and Coauthored.

18

19

20

21

22

23

24