

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2337

By: Renegar

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6 AS INTRODUCED

7 An Act relating to smoke detectors; amending 74 O.S.
8 2011, Section 324.11a, which relates to installation
9 of smoke detectors; requiring certain persons to
install certain smoke detectors; defining term; and
providing an effective date.

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

13 SECTION 1. AMENDATORY 74 O.S. 2011, Section 324.11a, is
14 amended to read as follows:

15 Section 324.11a A. Any person, partnership, corporation,
16 organization, the state, or city, town, county, or other subdivision
17 of this state, owning a building or structure used as a hospital,
18 church, theater, hotel, motel, apartment house, rooming house,
19 dormitory, rest home, nursing home, day nursery, convalescent home,
20 auditorium, or child care institution, existing or constructed in
21 the State of Oklahoma, shall install in such building or structure a
22 smoke detector or detectors in accordance with the nationally
23 recognized codes, standards, or practices adopted by the State Fire
24

1 Marshal Commission to safeguard life and property from the hazards
2 of smoke and fire.

3 B. For the purpose of this section, the term smoke detector
4 means a device which is:

5 1. Designed to detect visible or invisible products of
6 combustion;

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 smoke detector by a
11 recognized testing laboratory.

12 C. Any person, partnership, corporation, state, municipality,
13 county, or other subdivision of this state who is a lessor of a
14 residential rental property shall explain to the lessee or tenant
15 the method of testing the smoke detector to ensure that it is in
16 working order. The responsibility for checking a smoke detector to
17 find out whether such detector is in working order is with the
18 tenant or lessee leasing or renting a one- or two-family dwelling,
19 including an apartment in each apartment house, and not with the
20 person, partnership, corporation, state, municipality, county, or
21 other subdivision of this state who is a lessor of the residential
22 rental property to the lessee or tenant.

23 D. ~~Beginning November 1, 1997, all~~ All new construction or
24 remodeling of residential dwellings which require a building permit

1 shall include the installment of smoke detectors or the electrical
2 wiring necessary for the installment of electrical smoke detectors.

3 E. Beginning January 1, 2013, any person, partnership,
4 corporation, state, municipality, county, or other subdivision of
5 this state who is a lessor of a residential rental property shall
6 install a hard-wired smoke detector with a battery backup in
7 accordance with the nationally recognized codes, standards, or
8 practices adopted by the State Fire Marshal Commission to safeguard
9 life and property from the hazards of smoke and fire. For purposes
10 of this subsection, "hard-wired smoke detector" means a smoke
11 detector that has been wired into the electrical system of the
12 property.

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

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

1 ~~G.~~ H. 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 time table for
4 compliance with the provisions of this ~~act~~ section.

5 ~~H.~~ I. Municipalities may enact ordinances in order to enforce
6 the 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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