

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 HOUSE BILL 2059

By: Inman

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5  
6 AS INTRODUCED

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

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

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

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

1 standards, or practices adopted by the State Fire Marshal  
2 Commission.

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

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

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

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

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

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

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

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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, 2013.

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10 54-1-5527 LRB 12/17/12

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