



General Assembly

Amendment

January Session, 2023

LCO No. 9653



Offered by:

REP. BOYD, 50th Dist.

REP. HOWARD, 43rd Dist.

REP. DOUCETTE, 13th Dist.

To: Subst. House Bill No. 6580

File No. 354

Cal. No. 241

**"AN ACT REVISING CERTAIN CERTIFICATION REQUIREMENTS
RELATED TO SMOKE AND CARBON MONOXIDE DETECTORS IN
RESIDENTIAL BUILDINGS."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 29-453 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2023*):

5 (a) [Prior to transferring title to] At the time of closing on a transaction
6 involving any real property containing a residential building designed
7 to be occupied by one or two families or containing a unit in a residential
8 common interest community, the transferor of such real property shall
9 present to the transferee an affidavit [certifying] stating (1) that such
10 residential building or unit is equipped with smoke detection and
11 warning equipment complying with this section, [the Fire Safety Code,
12 the State Fire Prevention Code and the State Building Code,] and (2) that

13 such residential building or unit is equipped with carbon monoxide
14 detection and warning equipment complying with this section or does
15 not pose a risk of carbon monoxide poisoning because such residential
16 building or unit does not contain a fuel-burning appliance, fireplace or
17 attached garage. Nothing in the affidavit shall constitute a warranty
18 beyond the transfer of title. The affidavit shall be signed and dated by
19 the transferor.

20 [(b) Any transferor who fails to comply with the provisions of
21 subsection (a) of this section shall credit the transferee with the sum of
22 two hundred fifty dollars at closing.]

23 [(c)] (b) Any smoke detection and warning equipment required
24 pursuant to subsection (a) of this section shall: [be:

25 (1) Capable of sensing visible or invisible smoke particles;

26 (2) Installed in accordance with the manufacturer's instructions and
27 in the immediate vicinity of each bedroom;

28 (3) Capable of providing an alarm suitable to warn occupants when
29 such equipment is activated;

30 (4) Powered by the household electrical service, except such
31 equipment may be battery powered in a residential building for which
32 a building permit for new occupancy was issued prior to October 1,
33 1976;

34 (5) In a residential building for which a building permit for new
35 occupancy was issued on or after October 16, 1989, interconnected in
36 such a manner that the activation of the alarm on any smoke detection
37 and warning equipment in the residential building causes the alarm on
38 all smoke detection and warning equipment in such building to activate;
39 and

40 (6) In a residential building for which a building permit for new
41 occupancy was issued on or after May 1, 1999, located in all sleeping
42 areas.]

- 43 (1) Be installed in or in the immediate vicinity of each bedroom; and
- 44 (2) Produce an audible alarm when the equipment's test button is
45 depressed.
- 46 (c) The affidavit required by subsection (a) of this section shall
47 specify, if applicable, to the best of the transferor's knowledge whether
48 the smoke detection and warning equipment:
- 49 (1) Is battery powered;
- 50 (2) Is located in or in the immediate vicinity of each bedroom;
- 51 (3) Is powered by the household electrical service;
- 52 (4) Is interconnected in such a manner that activation of the alarm on
53 any such equipment in the residential building or unit causes the alarm
54 on all such equipment in the building or unit to activate, provided that
55 for any residential building or unit constructed prior to January 1, 1990,
56 a transferor may specify on the affidavit that the conditions requiring
57 such equipment to be interconnected are not applicable to the building
58 or unit; and
- 59 (5) Contains the following statement: "State law requires that all
60 properties have operable smoke and carbon monoxide detection and
61 warning equipment. This law is to save lives – your life, and the lives of
62 your family members and your pets – as well as to protect your
63 property."
- 64 (d) The Office of the State Fire Marshal shall (1) in consultation with
65 an association representing the interests of realtors, a bar association
66 and an association representing the interests of fire marshals, develop a
67 model form that may be used for the affidavit required by subsection (a)
68 of this section, and (2) in consultation with an association representing
69 the interests of fire marshals, develop a guide outlining smoke detection
70 and warning equipment requirements to assist transferors with the
71 completion of such affidavit.

72 [(d)] (e) Any carbon monoxide detection and warning equipment
 73 required pursuant to subsection (a) of this section [shall be (1) capable
 74 of sensing carbon monoxide present in parts per million, (2) installed in
 75 accordance with the manufacturer's instructions, and (3) capable of
 76 providing an alarm suitable to warn occupants when such equipment is
 77 activated. Such equipment] may be operated using batteries and shall
 78 produce an audible alarm when the equipment's test button is
 79 depressed.

80 [(e)] (f) The following shall be exempt from the requirements of
 81 [subsections (a) and (b) of] this section: (1) Any transfer from one or
 82 more coowners solely to one or more of the other coowners; (2) transfers
 83 made to the spouse, mother, father, brother, sister, child, grandparent
 84 or grandchild of the transferor where no consideration is paid; (3)
 85 transfers pursuant to an order of the court; (4) transfers by the federal
 86 government or any political subdivision thereof; (5) transfers by deed in
 87 lieu of foreclosure; (6) any transfer of title incident to the refinancing of
 88 an existing debt secured by a mortgage; (7) transfers by mortgage deed
 89 or other instrument to secure a debt where the transferor's title to the
 90 real property being transferred is subject to a preexisting debt secured
 91 by a mortgage; [and] (8) transfers made by executors, administrators,
 92 trustees or conservators; and (9) any transfer of property acquired by a
 93 judgment of strict foreclosure or by foreclosure by sale."

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2023	29-453