

Regular Session, 2010

HOUSE BILL NO. 241

BY REPRESENTATIVE ABRAMSON

FIRE PROTECT/FIRE MARSHAL: Requires the installation of a carbon monoxide detector in residential occupancies

1 AN ACT

2 To enact R.S. 40:1581.1, relative to carbon monoxide detectors; to require carbon monoxide
3 detectors in single-and multiple-family dwellings; to provide for rulemaking
4 authority; to provide for exceptions for failure to comply; and to provide for related
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:1581.1 is hereby enacted to read as follows:

8 §1581.1. Carbon monoxide detectors required; rule-making authority; exceptions

9 A. Effective January 1, 2012, all existing single-and multiple-family
10 dwellings at the time of sale or lease shall contain, at a minimum, an operable carbon
11 monoxide detector.

12 B. The office of state fire marshal shall promulgate rules, in accordance with
13 the Administrative Procedure Act, to implement this Section.

14 C. Failure to comply with the provisions of this Section shall not be a reason
15 for nonpayment of any insurance claims.

16 D. Failure to comply with the provisions of this Section shall not cause a
17 delay or a stoppage in the transfer of the property.

18 E. The real estate agent shall not be liable for the seller's failure to comply
19 with the provisions of this Section.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Abramson

HB No. 241

Abstract: Requires the installation of carbon monoxide detectors in all existing single-and multiple-family dwellings at the time of sale or lease after Jan. 1, 2012.

Proposed law requires, after Jan. 1, 2012, all existing single-family or multiple-family dwellings at the time of sale or lease to contain, at a minimum, an operable carbon monoxide detector.

Proposed law requires the office of state fire marshal to promulgate rules, in accordance with the Administrative Procedure Act, to implement proposed law.

Proposed law provides that failure to comply with the provisions of proposed law shall not be a reason for nonpayment of any insurance claims.

Proposed law provides that failure to comply with the provisions of proposed law shall not cause a delay or a stoppage in the transfer of the property.

Proposed law provides that the real estate agent shall not be liable for the seller's failure to comply with the provisions of proposed law.

(Adds R.S. 40:1581.1)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Commerce to the original bill.

1. Removed all newly constructed single-and multiple-family dwellings from provisions of proposed law.