

HOUSE BILL 949

By Littleton

AN ACT to amend Tennessee Code Annotated, Title 68,
Chapter 102; Title 68, Chapter 11 and Title 68,
Chapter 120, relative to alarm devices.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-102-151(a), is amended by
inserting the following as a new subdivision:

() "Approved carbon monoxide alarm":

(A) Means a device, either battery operated or electrical, which detects
the presence of carbon monoxide gas and is listed by a nationally recognized
testing laboratory approved by the federal occupational safety and health
administration to test and certify to American National Standards
Institute/Underwriters Laboratories Standards ANSI/UL2034 or ANSI/UL2075;
and

(B) Includes a combination carbon monoxide alarm and smoke detector if
the device does the following:

(i) Complies with ANSI/UL2034 or ANSI/UL2075 for carbon
monoxide alarms and ANSI/UL217 for smoke detectors; and

(ii) Emits an alarm in a manner that clearly differentiates between
detecting the presence of carbon monoxide and the presence of smoke;

SECTION 2. Tennessee Code Annotated, Section 68-102-151(b)(2), is amended by
deleting the subdivision and substituting instead the following:

(2) Tamper with or remove any smoke alarm or carbon monoxide alarm required
by this section, or a component of a smoke alarm or carbon monoxide alarm.

SECTION 3. Tennessee Code Annotated, Section 68-102-151(b), is amended by adding the following as a new subdivision:

(3) Own or operate a one-family or two-family rental unit that has a fossil-fuel-burning heater or appliance, a fireplace, or other feature, fixture, or element that emits carbon monoxide as a byproduct of combustion without installing an approved carbon monoxide alarm within ten feet (10') of each room used for sleeping purposes.

SECTION 4. Tennessee Code Annotated, Section 68-102-151(d), is amended by adding the following as a new subdivision:

() In addition to any responsibility of the tenant in subdivision (d)(1), a tenant shall also:

(A) Maintain the smoke alarm in the dwelling unit in good repair;

(B) Test the smoke alarm in the dwelling unit annually;

(C) Not remove or render the smoke alarm in the dwelling unit inoperable; and

(D) Notify the owner of the dwelling unit or its authorized agent in writing of any deficiencies relating to the smoke alarm.

SECTION 5. Tennessee Code Annotated, Section 68-120-111, is amended by designating the existing language as subsection (a) and adding the following new subsections:

(b) In one-family, two-family, and multi-family residential dwellings constructed prior to July 1, 2021, a smoke alarm, as defined in § 68-120-112(a), that contains a tamper-resistant battery unit designed to enable the smoke alarm to operate continuously for a period of not less than ten (10) years must be used to replace an existing battery-powered smoke alarm when:

(1) An existing battery-powered smoke alarm becomes more than ten (10) years of age from the date of manufacture;

(2) An existing battery-powered smoke alarm fails to respond to operability tests or otherwise malfunctions;

(3) There is a change of tenant in a residential unit and the residential unit has not been previously equipped in accordance with this subsection (b);

(4) A building permit is issued for an additional residential unit or an alteration to a residential unit, if the installation of a hardwired smoke alarm is not required due to the issuance of the building permit;

(5) A battery-powered smoke alarm is replaced for any reason; or

(6) A battery-powered smoke alarm lacks any indication of its date of manufacture.

(c) Subsection (b) does not apply to a fire alarm, smoke detector, smoke alarm, or ancillary component when:

(1) The unit receives power from an electrical system of a building or is electronically connected as a part of a centrally monitored or supervised alarm system; or

(2) The unit uses:

(A) A low power radio frequency wireless communication signal;

(B) WiFi or other wireless local area network capability to send and receive notifications to and from the internet, such as early low battery warnings before the device reaches a critically low power level; or

(C) Such other devices as the state fire marshal designates through its regulatory process.

SECTION 6. This act takes effect July 1, 2021, the public welfare requiring it.