

**HOUSE . . . . . No. 2097**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Paul Brodeur***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act requiring carbon monoxide alarms in all residential, governmental and commercial structures.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Paul Brodeur</i>	<i>32nd Middlesex</i>
<i>Ann-Margaret Ferrante</i>	<i>5th Essex</i>
<i>Mark J. Cusack</i>	<i>5th Norfolk</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>
<i>Marcos A. Devers</i>	<i>16th Essex</i>
<i>Danielle W. Gregoire</i>	<i>4th Middlesex</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Thomas M. McGee</i>	<i>Third Essex</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Tom Sannicandro</i>	<i>7th Middlesex</i>

**HOUSE . . . . . No. 2097**

By Mr. Brodeur of Melrose, a petition (accompanied by bill, House, No. 2097) of Paul Brodeur and others for legislation requiring carbon monoxide alarms in all residential, governmental and commercial structures. Public Safety and Homeland Security.

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 2124 OF 2013-2014.]

**The Commonwealth of Massachusetts**

In the One Hundred and Eighty-Ninth General Court  
(2015-2016)

An Act requiring carbon monoxide alarms in all residential, governmental and commercial structures.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. Section 26F ½ of chapter 148 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by striking out, in line 3, the words “occupied in whole or in part for residential purposes.”

SECTION 2. Section 26F ½ of chapter 148 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by striking out, in line 21, the words “occupied in whole or in part for residential purposes.”

SECTION 3. Section 26F ½ of chapter 148 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by striking out, in line 28, the words “occupied in whole or in part for residential purposes.”

# House 2097

## **PART I ADMINISTRATION OF THE GOVERNMENT**

### **TITLE XX PUBLIC SAFETY AND GOOD ORDER**

#### **CHAPTER 148 FIRE PREVENTION**

##### **Section 26F1/2 Carbon monoxide alarms required in certain residential structures; regulation; inspections; enforcement**

Section 26F1/2. (a) Every dwelling, building or structure, including those owned or operated by the commonwealth, ~~occupied in whole or in part for residential purposes,~~ that:

(1) contains fossil-fuel burning equipment including, but not limited to, a furnace, boiler, water heater, fireplace or any other apparatus, appliance or device that burns fossil fuel; or

(2) incorporates enclosed parking within its structure shall be equipped by the owner with working, approved carbon monoxide alarms in conformance with the requirements of the board of fire prevention regulations; provided, however, that such requirements shall include, but not be limited to, a requirement that a landlord or superintendent shall install either approved monitored battery-powered alarms or approved electrical wiring alarms as defined by the board, as are required to make the alarms operational at the beginning of any rental period by lease or otherwise and shall maintain and, if necessary, replace batteries or such battery-operated or electric hardwired carbon monoxide alarms annually thereafter to insure their continued operability.

(b) The board of fire prevention regulations shall promulgate such regulations as may be necessary to effectuate this section including, but not limited to, the type, installation, location, maintenance and inspectional requirements of carbon monoxide alarms.

(c) Every dwelling, building or structure, ~~occupied in whole or in part for residential purposes,~~ shall, upon sale or transfer of such dwelling, building or structure, be inspected by the head of the fire department for compliance with the requirements of this section.

(d) The state building code may impose stricter carbon monoxide alarm requirements for new construction or dwellings, buildings, or structures substantially renovated so as to constitute the equivalent of new construction. Every such dwelling building or structure, ~~occupied in whole or in part for residential purposes,~~ shall, upon sale or transfer of such dwelling, building or structure, be inspected by the head of the fire department for compliance with the carbon monoxide alarm requirements of the state building code in effect on the date of the issuance of the relevant building permit.

(e) The head of the fire department shall enforce this section.

(f) The department of public health shall promulgate such rules and regulations as may be necessary to effectuate subsection (a) into the state sanitary code as established under section 127A of chapter 111.