

2022 Regular Session

HOUSE BILL NO. 293

BY REPRESENTATIVES HILFERTY, COX, DAVIS, DUPLESSIS, FISHER, FONTENOT, GOUDEAU, JORDAN, MCKNIGHT, NEWELL, PRESSLY, ST. BLANC, AND THOMAS

FIRE PROTECT/FIRE MARSHAL: Provides relative to carbon monoxide detectors

1 AN ACT

2 To amend and reenact R.S. 40:1581, relative to carbon monoxide detectors in one- or two-  
3 family dwellings; to provide for a long-life, sealed battery carbon monoxide detector  
4 in certain dwellings; to provide for applicability; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 40:1581 is hereby amended and reenacted to read as follows:

7 §1581. Smoke detectors; carbon monoxide detectors; one- or two-family dwellings

8 A. ~~Effective January 1, 2011, all~~ All existing one- or two-family dwellings  
9 at the time of sale or lease, shall contain, at a minimum, an operable ten-year, sealed  
10 lithium battery smoke detector.

11 B. All existing one- or two-family dwellings at the time of sale or lease, shall  
12 contain, at a minimum, an operable carbon monoxide detector with a long-life,  
13 sealed battery. The carbon monoxide detector may or may not be combined with  
14 smoke detection.

15 C. Persons who install generators in one- or two-family dwellings shall  
16 include with installation of a home generator, at minimum, an operable carbon  
17 monoxide detector with a long-life, sealed battery. The carbon monoxide detector  
18 may or may not be combined with smoke detection.

1           ~~B. D.~~ Failure to comply with the provisions of this Section shall not be a  
2           reason for nonpayment of any insurance claims.

3           ~~C. E.~~ Failure to comply with the provisions of this Section shall not cause  
4           a delay or a stoppage in the transfer of the property.

5           ~~D. F.~~ The real estate agent shall not be liable for the seller's failure to comply  
6           with the provisions of this Section.

7           Section 2. The provisions of Subsections B and C of R.S. 40:1581 as amended by  
8           Section 1 of this Act shall apply only to one- or two-family dwellings sold, leased, or which  
9           have home generators installed on or after January 1, 2023.

#### 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)]

HB 293 Engrossed

2022 Regular Session

Hilferty

**Abstract:** Requires existing one- or two-family dwellings to have a carbon monoxide detector containing a long-life, sealed battery under certain circumstances.

Present law requires existing one- or two-family dwellings to have a smoke detector with a 10-year, sealed lithium battery at the time the dwelling is sold or leased.

Proposed law retains present law.

Proposed law adds that existing one- or two-family dwellings are required to have a carbon monoxide detector with a long-life, sealed battery at the time the dwelling is sold or leased.

Proposed law requires a person who installs a home generator in one- or two-family dwellings to include a carbon monoxide detector with a long-life, sealed battery with installation.

Proposed law does not require the carbon monoxide detector to be combined with a smoke detector.

Proposed law (uncodified) provides that those provisions in proposed law requiring carbon monoxide detectors are only applicable to those certain dwellings that are sold, leased, or which have home generators installed on or after Jan. 1, 2023.

(Amends R.S. 40:1581)

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the original bill:

1.       Make technical changes.