

**2001 DRAFTING REQUEST**

**Bill**

Received: **04/13/2001**

Received By: **rmarchan**

Wanted: **As time permits**

Identical to LRB:

For: **John Steinbrink (608) 266-0455**

By/Representing: **Geoff Gaston**

This file may be shown to any legislator: **NO**

Drafter: **rmarchan**

May Contact:

Addl. Drafters:

Subject: **Buildings/Safety - bldg codes**  
**Buildings/Safety - misc.**

Extra Copies:

Submit via email: **NO**

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Heat detectors

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**Instructions:**

See Attached.

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	rmarchan 04/25/2001	hhagen 05/08/2001		_____			
/1			jfrantze 05/09/2001	_____	lrb_docadmin 05/09/2001	lrb_docadmin 10/02/2001	

FE Sent For:

<END>

Not Needed

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1/?	rmarchan	1/11/01 5/18/01	5/18	7/6/01 5/89			

FE Sent For:

<END>

Marchant, Robert

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**From:** Williams, Landon  
**Sent:** Tuesday, April 10, 2001 1:25 PM  
**To:** Marchant, Robert; Tradewell, Becky  
**Subject:** FW:

-----Original Message-----

**From:** Gaston, Geoff  
**Sent:** Tuesday, April 10, 2001 10:47 AM  
**To:** LRB.Legal  
**Subject:**

Rep. Steinbrink is interested in having legislation drafted similar to the requirement for smoke detectors in 101.645 that would require newly constructed homes (dwellings?) to have a *heat* detector, likely also approved by Underwriters, installed in the attic. For definition, probably something along the lines of code language under both Commerce and HFS defining heat detectors, perhaps with National Fire Protection standards.

Thanks, and please call or write with any comments/questions.

Geoff  
Rep. Steinbrink's office  
6-0455



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-3088/3  
RJM ...<sup>1</sup> kmh

*Rmwr*  
*DWOT*

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 *Generate*  
AN ACT ...; relating to: requiring heat detectors in certain buildings and  
2 dwellings.

*Analysis by the Legislative Reference Bureau*

Current law requires smoke detectors to be installed in various types of buildings. For example, the owner of a public building ~~which~~<sup>that</sup> is used for sleeping or lodging, such as an apartment house or hotel, and ~~which~~<sup>that</sup> is constructed on or after May 23, 1978, must install a smoke detector in the basement, at the head of any stairway on each floor level, and in or near each sleeping unit in the building. In addition, the manufacturer of a manufactured home that is built during this same time period must install a smoke detector in the home. Similarly, the manufacturer of any manufactured building must install a smoke detector on each floor level of the building other than the attic or storage area. In addition, the owner of a one-<sup>family</sup> or two-family dwelling must install a smoke detector in the basement and on each floor level of the dwelling other than the attic or storage area.

This bill requires the owner of a public building ~~which~~<sup>that</sup> is used for sleeping or lodging and the owner of a one-<sup>family</sup> or two-family dwelling to install a heat detector in any attic in the building or dwelling. The bill also requires any person who manufactures a manufactured home or manufactured building on or after the date ~~on which~~<sup>that</sup> the bill takes effect to install a heat detector in any attic in the home or building. A heat detector installed under the bill must be approved by the

department of commerce and must be designed to activate at a fixed temperature and when the temperature rises at or above a specified rate.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1 SECTION 1. 101.145<sup>X</sup> (title) of the statutes is amended to read:

2 101.145<sup>ΔΔ</sup> (title) **Smoke detectors and heat detectors.**

3 History: 1977 c. 388; 1983 a. 189; 1987 a. 376; 1989 a. 109<sup>X</sup>

4 SECTION 2. 101.145 (2) of the statutes is amended to read:

5 101.145 (2) APPROVAL. ~~Any~~<sup>↓</sup> Any smoke detector or heat detector required under  
6 this section shall be approved by underwriters laboratory.

7 History: 1977 c. 388; 1983 a. 189; 1987 a. 376; 1989 a. 109<sup>X</sup>

8 SECTION 3. 101.145 (3) (a) of the statutes is amended to read:

9 101.145 (3) (a) The owner of a residential building shall install any smoke  
10 detector or heat detector required under this section according to the directions and  
11 specifications of the manufacturer ~~of the smoke detector.~~ ~~of the heat detector.~~

12 History: 1977 c. 388; 1983 a. 189; 1987 a. 376; 1989 a. 109<sup>X</sup>

13 SECTION 4. 101.145 (3) (b) of the statutes is amended to read:

14 101.145 (3) (b) The owner of a residential building shall maintain any ~~such~~  
15 smoke detector that is located in a common area of that residential building and any  
16 heat detector that is located in that residential building.

17 History: 1977 c. 388; 1983 a. 189; 1987 a. 376; 1989 a. 109<sup>X</sup>

18 SECTION 5. 101.145 (4) (except 101.145 (4) (title)) of the statutes is renumbered  
19 101.145 (4) (a) and amended to read:

20 101.145 (4) (a) The owner of a residential building <sup>1</sup>the initial construction of  
21 which is commenced before, on, <sup>2</sup>or after May 23, 1978, shall install and maintain a  
22 functional smoke detector in the all of the following locations:

23 1. The basement and at.

1           2. ~~At the head of any stairway on each floor level of the building and shall install~~  
2           ~~a functional smoke detector either in other than an attic.~~

3           3. In each sleeping area of each unit or elsewhere in the unit within 6 feet of  
4           each sleeping area and, but not in a kitchen or attic.

History: 1977 c. 388; 1983 a. 189; 1987 a. 376; 1989 a. 109. ✓

5           **SECTION 6.** 101.145 (4) (b) of the statutes is created to read:

6           101.145 (4) (b) The owner of a residential building with an attic shall install  
7           a functional heat detector in the attic. The heat detector shall be approved by the  
8           department and shall be designed to activate at a fixed temperature and when the  
9           temperature rises at or above a specified rate.

10          **SECTION 7.** 101.645 (title) of the statutes is amended to read:

11          101.645<sup>AA</sup>(title) **Smoke detectors and heat detectors.**

History: 1977 c. 388; 1983 a. 189 s. 329 (4); 1987 a. 376; 1989 a. 109. ✓

12          **SECTION 8.** 101.645 (2) of the statutes is amended to read:

13          101.645 (2) APPROVAL AND INSTALLATION. ~~Any~~ Any smoke detector or heat detector  
14          required under this section shall be approved and installed as required under s.  
15          101.145 (2) and (3) (a).

History: 1977 c. 388; 1983 a. 189 s. 329 (4); 1987 a. 376; 1989 a. 109. ✓

16          **SECTION 9.** 101.645 (3) of the statutes is renumbered 101.645 (3) (a).

17          **SECTION 10.** 101.645 (3) (b) of the statutes is created to read:

18          101.645 (3) (b) The owner of a dwelling with an attic shall install a functional  
19          heat detector in the attic. The heat detector shall be approved by the department and  
20          shall be designed to activate at a fixed temperature and when the temperature rises  
21          at or above a specified rate.

22          **SECTION 11.** 101.745 (title) of the statutes is amended to read:

23          101.745<sup>AA</sup>(title) **Smoke detectors and heat detectors.**

History: 1977 c. 388; 1983 a. 189 s. 329 (4); 1987 a. 376; 1989 a. 109. ✓

1 SECTION 12. 101.745 (2) of the statutes is amended to read:

2 101.745 (2) APPROVAL. ~~A~~ Any smoke detector or heat detector required under  
3 this section shall be approved by underwriters laboratory.

4 History: 1977 c. 388; 1983 a. 189 s. 329 (4); 1987 a. 376; 1989 a. 109. ~~X~~

SECTION 13. 101.745 (3) of the statutes is amended to read:

5 101.745 (3) INSTALLATION. ~~A~~ Any smoke detector or heat detector required  
6 under this section shall be installed according to the directions and specifications of  
7 the manufacturer.

8 History: 1977 c. 388; 1983 a. 189 s. 329 (4); 1987 a. 376; 1989 a. 109.

SECTION 14. 101.745 (4) of the statutes is renumbered 101.745 (4) (a).

9 SECTION 15. 101.745 (4) (b) of the statutes is created to read:

10 101.745 (4) (b) The manufacturer of a manufactured building with an attic that  
11 is manufactured on or after the effective date of this paragraph .... [revisor inserts  
12 date], shall install a functional heat detector in the attic. The heat detector shall be  
13 approved by the department and shall be designed to activate at a fixed temperature  
14 and when the temperature rises at or above a specified rate.

15 SECTION 16. 101.925 (title) of the statutes is amended to read:

16 101.925 (title) Smoke detectors and heat detectors.

17 History: 1977 c. 388; 1983 a. 27 s. 2200 (25); 1983 a. 189 s. 329 (4); 1987 a. 376.

SECTION 17. 101.925 (2) of the statutes is amended to read:

18 101.925 (2) APPROVAL. ~~A~~ Any smoke detector or heat detector required under  
19 this section shall be approved by underwriters laboratory.

20 History: 1977 c. 388; 1983 a. 27 s. 2200 (25); 1983 a. 189 s. 329 (4); 1987 a. 376.

SECTION 18. 101.925 (3) of the statutes is amended to read:

21 101.925 (3) INSTALLATION. ~~A~~ Any smoke detector or heat detector required  
22 under this section shall be installed according to the directions and specifications of  
23 the manufacturer.

History: 1977 c. 388; 1983 a. 27 s. 2200 (25); 1983 a. 189 s. 329 (4); 1987 a. 376.





**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-3088/1 dn  
*RJM:hmh*

*Date*

1. Current law requires the owner of a residential public building (including an apartment building or hotel) to install a smoke detector on "each floor level of the building." See s. 101.145 (4), stats. In order to make this statute consistent with the requirement you requested, this bill requires an owner of a residential public building to install a heat detector in the attic, rather than a smoke detector. Please let me know if this treatment is inconsistent with your intent.

(X) 2. The requirements of this bill apply to owners of residential public buildings, owners of one-<sup>family</sup> and two-family dwellings, manufacturers of manufactured dwellings, and manufacturers of manufactured homes. The requirements that apply to manufacturers only apply to dwellings or homes manufactured on or after the date on which the bill takes effect. The requirements that apply to owners apply retroactively. Please let me know if this treatment is not what you intend.

3. The heat detector required under this bill must be designed to activate upon detecting a fixed temperature or upon detecting that the temperature is rising at or above a specified rate. Apparently, these types of heat detectors are more appropriate for attics because attics may get extremely cold during the winter. A fixed-temperature heat detector is more likely to fail in such an environment than a heat detector that is triggered by the rate at which the temperature is rising.

I am not an expert on these matters and I encourage you to consult with the department of commerce regarding the specifications for the required heat detector. Please let me know if you intend to specify some other type of heat detector or if you have any other concerns.

Robert J. Marchant  
Legislative Attorney  
Phone: (608) 261-4454  
E-mail: robert.marchant@legis.state.wi.us

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-3088/1dn  
RJM:hmh:jf

May 8, 2001

1. Current law requires the owner of a residential public building (including an apartment building or hotel) to install a smoke detector on "each floor level of the building." See s. 101.145 (4), stats. In order to make this statute consistent with the requirement you requested, this bill requires an owner of a residential public building to install a heat detector in the attic, rather than a smoke detector. Please let me know if this treatment is inconsistent with your intent.
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# State of Wisconsin

## LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET  
5TH FLOOR  
MADISON, WI 53701-2037

STEPHEN R. MILLER  
CHIEF

LEGAL SECTION: (608) 266-3561  
LEGAL FAX: (608) 264-6948

May 9, 2001

### MEMORANDUM

To: Representative Steinbrink

From: Robert J. Marchant, Legislative Attorney

Re: LRB-3088/1 Heat detectors

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

JACKET FOR ASSEMBLY  JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 261-4454 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.