



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2009 Senate Bill 415

Senate Amendment 1

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Senate Bill 415 requires an owner of a one- or two-family dwelling to install a carbon monoxide detector in the basement of the dwelling and on each floor level except the attic or storage area of each dwelling unit. If a building permit for the initial construction of the dwelling is issued on or after the effective date of the enactment, and the electrical service for the dwelling is provided by a public utility, the owner of the dwelling must install each carbon monoxide detector so that it is powered by the dwelling's electrical wiring system; in addition, the detector must have a backup battery power supply. In general, an occupant of a dwelling unit must maintain any carbon monoxide detector in the unit. No person may tamper with a carbon monoxide detector, except in the course of inspection, maintenance, or replacement of the detector. The installation requirement does not apply to the owner of the dwelling if all of the following apply:

1. The dwelling does not have an attached garage.
2. The dwelling does not have a fireplace.
3. The dwelling does not have a fuel-burning appliance.

Section 101.61 (1), Stats., defines the term "dwelling" to mean any building containing one or two dwelling units. In turn, the term "dwelling unit" means a structure used or intended to be used as a home, residence, or sleeping place by one person or by two or more persons maintaining a common household, to the exclusion of all others.

Senate Amendment 1 provides for the following:

1. The term "dwelling" does not include a tourist rooming house. Section 254.61 (6), Stats., defines a "tourist rooming house" to mean any lodging place or tourist cabin or cottage where sleeping accommodations are offered for pay to tourists or transients.

2. A carbon monoxide detector is not required to be installed in a garage.

3. The occupant of a dwelling unit is not required to maintain a carbon monoxide detector in that unit.

4. The act will take effect on February 1, 2011, correcting an error in the effective date provision in Senate Bill 415.

Legislative History

On January 19, 2010, the Senate Committee on Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing introduced and adopted Senate Amendment 1 to Senate Bill 415 and recommended passage of the bill, as amended, both on votes of Ayes, 5; Noes, 0.

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