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**WISCONSIN LEGISLATIVE COUNCIL  
ACT MEMO**

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**2009 Wisconsin Act 158**  
[2009 Senate Bill 415]

**Carbon Monoxide Detectors**

*2009 Wisconsin Act 158* 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, garage, 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. 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. 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.

**Effective date:** The Act takes effect on February 1, 2011.

**Prepared by:** Ronald Sklansky, Senior Staff Attorney

April 27, 2010

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This memo provides a brief description of the Act. For more detailed information,  
consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.state.wi.us/>.