

Committee Substitute for
Committee Substitute for Senate Bill No. 1822

An act relating to carbon monoxide detectors; amending s. 509.211, F.S.; requiring that certain public lodging establishments be equipped with carbon monoxide sensor devices; specifying approved types of devices; providing requirements for the installation of such devices; creating s. 553.885, F.S.; requiring that certain buildings constructed on or after a specified date be equipped with carbon monoxide alarms; providing requirements for the installation of such devices; requiring the Florida Building Commission to adopt rules; providing definitions; providing an effective date.

WHEREAS, the general purpose and intent of this act is to provide proper protection regulations in the best interest of the health, safety, and welfare of the citizens of this state, and

WHEREAS, the specific intent and purpose of this act is to create safety regulations requiring carbon monoxide detectors after the occurrence of several incidents where people have died as a result of carbon monoxide poisoning under circumstances that were preventable, and

WHEREAS, this act honors the memory of Janelle Bertot, a talented and community-oriented 19-year-old college student and daughter of a former Hialeah police officer, and Anthony Perez, a 25-year-old senior at Florida International University and the president of Pi Kappa Phi fraternity, who died on November 14, 2004, from carbon monoxide poisoning as a result of carbon monoxide that leaked from their motor vehicle, and

WHEREAS, through the efforts of Janelle's parents and other dedicated volunteers, Janelle's Wishing Well, a charitable foundation, has been established to provide scholarships to young people interested in health care and to raise public awareness and create community outreach programs on the dangers of carbon monoxide poisoning, and

WHEREAS, the Legislature recognizes and supports the education and prevention efforts of Janelle's Wishing Well to advise young people of the lethal danger of carbon monoxide poisoning, and

WHEREAS, this act also honors the memory of Tom Lueders, an outgoing 26-year-old from Washington, D.C., who was just starting out in a promising career and had aspirations of attending graduate school, and who, on December 27, 2006, died from carbon monoxide poisoning, NOW, THEREFORE,

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (5) is added to section 509.211, Florida Statutes, to read:

509.211 Safety regulations.—

(5) Every enclosed space or room that contains a boiler regulated under chapter 554 which is fired by the direct application of energy from the combustion of fuels and that is located in any portion of a public lodging establishment that also contains sleeping rooms shall be equipped with one or more carbon monoxide sensor devices that bear the label of a nationally recognized testing laboratory and have been tested and listed as complying with the most recent Underwriters Laboratories, Inc., Standard 2034, or its equivalent, unless it is determined that carbon monoxide hazards have otherwise been adequately mitigated as determined by the division. Such devices shall be integrated with the public lodging establishment's fire detection system. Any such installation or determination shall be made in accordance with rules adopted by the division.

Section 2. Section 553.885, Florida Statutes, is created to read:

553.885 Carbon monoxide alarm required.—

(1) Every building for which a building permit is issued for new construction on or after July 1, 2008, and having a fossil-fuel-burning heater or appliance, a fireplace, or an attached garage shall have an approved operational carbon monoxide alarm installed within 10 feet of each room used for sleeping purposes.

(2) The Florida Building Commission shall adopt rules to administer this section and shall incorporate such requirements into its next revision of the Florida Building Code.

(3) As used in this section, the term:

(a) "Carbon monoxide alarm" means a device that is meant for the purpose of detecting carbon monoxide, that produces a distinct audible alarm, and that meets the requirements of and is approved by the Florida Building Commission.

(b) "Fossil fuel" means coal, kerosene, oil, fuel gases, or other petroleum or hydrocarbon product that emits carbon monoxide as a by-product of combustion.

Section 3. This act shall take effect July 1, 2007.

Approved by the Governor June 19, 2007.

Filed in Office Secretary of State June 19, 2007.