

## AMENDMENTS TO HOUSE BILL NO. 1236

Sponsor: REPRESENTATIVE POLINCHOCK

Printer's No. 1470

1 Amend Bill, page 1, lines 1 and 2, by striking out all of  
2 said lines and inserting  
3 Regulating certain smoke alarms; providing for dwelling unit  
4 owner and tenant responsibilities; and prescribing penalties.

5 Amend Bill, page 1, lines 5 through 18; page 2, lines 1  
6 through 30; page 3, lines 1 through 21; by striking out all of  
7 said lines on said pages and inserting

8 Section 1. Short title.

9 This act shall be known and may be cited as the Smoke Alarm  
10 Responsibility Act.

11 Section 2. Definitions.

12 The following words and phrases when used in this act shall  
13 have the meanings given to them in this section unless the  
14 context clearly indicates otherwise:

15 "Dwelling." A building that contains one or more dwelling  
16 units that are or will be rented, leased, let or hired out for  
17 living purposes.

18 "Dwelling unit." A single unit in a dwelling providing  
19 complete independent living facilities for at least one  
20 individual, including permanent provisions for living, sleeping,  
21 eating, cooking and sanitation.

22 "Smoke alarm." A smoke alarm that:

23 (1) Meets any of the following:

24 (i) is powered by a nonremovable, nonreplaceable  
25 battery capable of powering the smoke alarm device for at  
26 least 10 years;

27 (ii) is powered by an electrical system;

28 (iii) is part of a fire alarm system that operates  
29 other smoke alarm devices; or

30 (iv) uses a low-power radio frequency wireless  
31 communication signal.

32 (2) Is listed in accordance with UL 217 or in accordance  
33 with UL 217 and UL 2034 for combination smoke and carbon  
34 monoxide alarms.

35 Section 3. Dwelling units.

1 (a) General rule.--Except as provided in section 7, dwelling  
2 units existing on the effective date of this subsection shall be  
3 equipped with a smoke alarm that is installed in accordance with  
4 required updates or changes under section 108 of the act of  
5 November 10, 1999 (P.L.491, No.45), known as the Pennsylvania  
6 Construction Code Act, prior to execution of a valid lease. The  
7 equipping and installation of smoke alarms shall not require new  
8 construction, alterations, repairs or additions.

9 (b) Construction.--Nothing in this act shall be construed as  
10 requiring an owner of an existing dwelling unit that is leased  
11 to maintain, repair or replace a smoke alarm in the dwelling  
12 unit while the dwelling unit is occupied under a valid lease.

13 Section 4. Tenant responsibilities.

14 The tenant of a dwelling unit:

15 (1) Shall maintain the smoke alarm in the dwelling unit  
16 in good repair.

17 (2) Shall test the smoke alarm in the dwelling unit  
18 annually.

19 (3) May not remove or render the smoke alarm in the  
20 dwelling unit inoperable.

21 (4) Shall notify the owner of the dwelling unit or its  
22 authorized agent in writing of any deficiencies relating to  
23 the smoke alarm.

24 Section 5. Modification.

25 Nothing in this act is intended to modify the authority and  
26 responsibilities of the Department of Labor and Industry under  
27 the act of November 10, 1999 (P.L.491, No.45), known as the  
28 Pennsylvania Construction Code Act.

29 Section 6. Enforcement.

30 An individual who violates this act commits a summary offense  
31 punishable by a fine of up to \$50.

32 Section 7. Exception.

33 Nothing in this act shall be construed as requiring an owner  
34 of a dwelling unit to replace a working smoke alarm that is not  
35 more than 10 years old.

36 Section 8. Effective date.

37 This act shall take effect in 120 days.