

SENATE BILL REPORT

SSB 6472

As Passed Senate, February 11, 2012

Title: An act relating to disclosure of carbon monoxide alarms in real estate transactions.

Brief Description: Concerning disclosure of carbon monoxide alarms in real estate transactions.

Sponsors: Senate Committee on Financial Institutions, Housing & Insurance (originally sponsored by Senators Harper, Honeyford, Kline and Shin).

Brief History:

Committee Activity: Financial Institutions, Housing & Insurance: 1/31/12 [DPS].
Passed Senate: 2/11/12, 47-0.

SENATE COMMITTEE ON FINANCIAL INSTITUTIONS, HOUSING & INSURANCE

Majority Report: That Substitute Senate Bill No. 6472 be substituted therefor, and the substitute bill do pass.

Signed by Senators Hobbs, Chair; Prentice, Vice Chair; Benton, Ranking Minority Member; Fain, Haugen and Litzow.

Staff: Alison Mendiola (786-7483)

Background: Legislation was passed recently requiring the State Building Code Council to adopt rules requiring residential occupancies be equipped with carbon monoxide alarms. These rules require that all newly constructed residential occupancies have carbon monoxide alarms.

Owner-occupied single family residences legally occupied before the effective date of the act (2010) were exempt from rules adopted by the council requiring the installation of carbon monoxide alarms in residential occupancies. However, the seller of an owner-occupied single family residence must install carbon monoxide alarms in accordance with the requirements of the state building code prior to the buyer or any other person occupying the residence following such sale.

Residential tenants must maintain carbon monoxide alarms according to manufacturer specifications, including battery replacement.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Substitute Bill: Based on rules adopted by the State Building Code Council, the state's seller disclosure form is amended to add whether the property is equipped with carbon monoxide and smoke alarms. Licensed real estate brokers are not liable for any civil, administrative, or other proceeding for the failure of any seller or other property owner to comply with the requirements proscribed by statute or rules adopted by the State Building Code Council. These changes only apply to real estate transactions for which a purchase and sale agreement is entered into after the effective date.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This bill addresses two issues: (1) the seller doesn't know they need to have a carbon monoxide alarm and (2) provides liability for real estate brokers regarding the actions of a seller. This bill will help real estate brokers understand their responsibility.

Persons Testifying: PRO: Senator Harper, prime sponsor; Bill Clarke, Washington REALTORS.