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**SUBSTITUTE SENATE BILL 5494**

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**State of Washington**

**63rd Legislature**

**2013 Regular Session**

**By** Senate Financial Institutions, Housing & Insurance (originally sponsored by Senators Hobbs, Fain, Holmquist Newbry, Mullet, Dammeier, and McAuliffe)

READ FIRST TIME 02/13/13.

1       AN ACT Relating to carbon monoxide alarms; amending RCW 19.27.530;  
2 and declaring an emergency.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4       **Sec. 1.** RCW 19.27.530 and 2012 c 132 s 4 are each amended to read  
5 as follows:

6       (1) By July 1, 2010, the building code council shall adopt rules  
7 requiring that all buildings classified as residential occupancies, as  
8 defined in the state building code in chapter 51-54 WAC, but excluding  
9 owner-occupied single-family residences legally occupied before July  
10 26, 2009, be equipped with carbon monoxide alarms.

11       (2)(a) The building code council may phase in the carbon monoxide  
12 alarm requirements on a schedule that it determines reasonable,  
13 provided that the rules require that by January 1, 2011, all newly  
14 constructed buildings classified as residential occupancies will be  
15 equipped with carbon monoxide alarms, and all other buildings  
16 classified as residential occupancies will be equipped with carbon  
17 monoxide alarms by ((January)) July 1, ((2013)) 2014.

18       (b) Owner-occupied single-family residences legally occupied before  
19 July 26, 2009, are exempt from the requirements of this subsection (2).

1 However, for any owner-occupied single-family residence that is sold on  
2 or after July 26, 2009, the seller must equip the residence with carbon  
3 monoxide alarms in accordance with the requirements of the state  
4 building code before the buyer or any other person may legally occupy  
5 the residence following such sale.

6 (3) The building code council may exempt categories of buildings  
7 classified as residential occupancies if it determines that requiring  
8 carbon monoxide alarms are unnecessary to protect the health and  
9 welfare of the occupants.

10 (4) The rules adopted by the building code council under this  
11 section must (a) consider applicable nationally accepted standards and  
12 (b) require that the maintenance of a carbon monoxide alarm in a  
13 building where a tenancy exists, including the replacement of  
14 batteries, is the responsibility of the tenant, who shall maintain the  
15 alarm as specified by the manufacturer.

16 (5) Real estate brokers licensed under chapter 18.85 RCW shall not  
17 be liable in any civil, administrative, or other proceeding for the  
18 failure of any seller or other property owner to comply with the  
19 requirements of this section or rules adopted by the building code  
20 council.

21 NEW SECTION. **Sec. 2.** This act is necessary for the immediate  
22 preservation of the public peace, health, or safety, or support of the  
23 state government and its existing public institutions, and takes effect  
24 immediately.

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