

By the Committees on Community Affairs; Banking and Insurance;
and Senators Garcia and Deutch

578-2669-07

1 A bill to be entitled
2 An act relating to carbon monoxide detectors;
3 amending s. 509.211, F.S.; requiring that
4 certain public lodging establishments be
5 equipped with carbon monoxide sensor devices;
6 creating s. 553.885, F.S.; providing a short
7 title; requiring buildings constructed on or
8 after a specified date which have a
9 fossil-fuel-burning appliance, fireplace, or
10 attached garage to have carbon monoxide alarms
11 installed; requiring the Florida Building
12 Commission to adopt rules; providing
13 definitions; providing an effective date.

14
15 WHEREAS, the general purpose and intent of this act is
16 to provide proper protection regulations in the best interest
17 of the health, safety, and welfare of the citizens of this
18 state, and

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

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

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

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

11
12 Be It Enacted by the Legislature of the State of Florida:

13
14 Section 1. Subsection (5) is added to section 509.211,
15 Florida Statutes, to read:

16 509.211 Safety regulations.--

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

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

3 553.885 Carbon monoxide alarm required.--

4 (1) This section may be cited as "Janelle's Law."

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

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

15 (4) As used in this section, the term:

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

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

24 Section 3. This act shall take effect July 1, 2007.
25
26
27
28
29
30
31

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
CS/SB 1822

The committee substitute for committee substitute clarifies that public lodging establishments must equip any portion of the establishment that has an enclosed space or room containing a certain type of boiler regulated under ch. 554, F.S., and which also contains sleeping rooms, with carbon monoxide sensor devices. It also clarifies that these sensor devices are not required if the carbon monoxide hazard has been otherwise adequately mitigated.