



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-0673/1

KP:cjs

2023 ASSEMBLY BILL 1200

April 9, 2024 - Introduced by Representatives SNODGRASS, C. ANDERSON, J. ANDERSON, ANDRACA, CLANCY, MADISON, MOORE OMOKUNDE, RATCLIFF, SINICKI, STUBBS, SUBECK, ORTIZ-VELEZ and PALMERI, cosponsored by Senators LARSON, ROYS and SPREITZER. Referred to Committee on Children and Families.

AN ACT *to amend* 101.149 (3) (a), 101.149 (3) (am) and 101.149 (7); and *to create* 101.149 (1) (aj) and 101.149 (2) (b) of the statutes; **relating to:**

requiring carbon monoxide detectors in child care centers and schools.

Analysis by the Legislative Reference Bureau

This bill requires the use of carbon monoxide detectors in child care centers and public and private elementary and secondary schools that are served by a fuel-burning forced-air furnace or a boiler. The bill also requires owners of child care centers and public and private elementary and secondary schools to reasonably maintain all carbon monoxide detectors as specified in the detectors' instructions.

Under current law generally, carbon monoxide detectors are required in dwellings with an attached garage, a fireplace, or a fuel-burning appliance. Carbon monoxide detectors are also required in public buildings that are used for sleeping or lodging purposes and contain a fuel-burning appliance, a fuel-burning forced-air furnace, or an attached garage.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

ASSEMBLY BILL 1200**SECTION 1**

SECTION 1. 101.149 (1) (aj) of the statutes is created to read:

101.149 (1) (aj) “Boiler” means a fossil fuel or carbon-based fuel-fired boiler that produces carbon monoxide as a combustion by-product.

SECTION 2. 101.149 (2) (b) of the statutes is created to read:

101.149 (2) (b) *Elementary and secondary schools and child care centers.* Carbon monoxide detectors shall be provided in public and private elementary and secondary schools and in child care centers licensed under s. 48.65 that are served by a fuel-burning, forced-air furnace or a boiler. Carbon monoxide detectors shall be installed in each room containing a fuel-burning, forced-air furnace or a boiler.

SECTION 3. 101.149 (3) (a) of the statutes is amended to read:

101.149 (3) (a) The owner of a residential building or building described in par. (b) shall reasonably maintain every carbon monoxide detector in the ~~residential~~ building in the manner specified in the instructions for the carbon monoxide detector.

SECTION 4. 101.149 (3) (am) of the statutes is amended to read:

101.149 (3) (am) If any person certified under s. 101.12 (4) or 101.14 (4r) gives written notice to an owner of a residential building or building described in par. (b) that a carbon monoxide detector in the ~~residential~~ building is not functional, the owner shall provide, within 5 days after receipt of that notice, any maintenance necessary to make that carbon monoxide detector functional.

SECTION 5. 101.149 (7) of the statutes is amended to read:

101.149 (7) INSPECTION. To ensure compliance with subs. (2) and (3), the department or a person certified under s. 101.12 (4) or 101.14 (4r) may inspect

ASSEMBLY BILL 1200**SECTION 5**

buildings described in par. (b), may inspect the common area of residential buildings, and may inspect a unit within ~~such buildings~~ a residential building at the request of the owner or occupant of the unit to be inspected.

SECTION 6. Effective date.

(1) This act takes effect on the 90th day after the day of publication.

(END)