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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 406

01/17/2023 Authored by Berg, Reyer, Frazier, Huot, Feist and others
The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy

1.1 A bill for an act
1.2 relating to building codes; modifying carbon monoxide alarm requirements for
1.3 hotels and lodging houses; requiring a safety warning for violation; amending
1.4 Minnesota Statutes 2022, sections 299F.50, by adding subdivisions; 299F.51,
1.5 subdivisions 1, 2, 5, by adding a subdivision.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2022, section 299F.50, is amended by adding a subdivision
1.8 to read:

1.9 Subd. 11. Hotel. "Hotel" means any building, or portion thereof, containing six or more
1.10 guest rooms intended or designed to be used, or which are used, rented, or hired out to be
1.11 occupied, or which are occupied for sleeping purposes by guests.

1.12 Sec. 2. Minnesota Statutes 2022, section 299F.50, is amended by adding a subdivision to
1.13 read:

1.14 Subd. 12. Lodging house. "Lodging house" means any building, or portion thereof,
1.15 containing not more than five guest rooms which are used or are intended to be used for
1.16 sleeping purposes by guests and where rent is paid in money, goods, labor, or otherwise.

1.17 Sec. 3. Minnesota Statutes 2022, section 299F.51, subdivision 1, is amended to read:

1.18 Subdivision 1. Generally. (a) Every ~~single-family~~ single-family dwelling and every
1.19 dwelling unit in a multifamily dwelling must have an approved and operational carbon
1.20 monoxide alarm installed within ten feet of each room lawfully used for sleeping purposes.

2.1 (b) Every guest room in a hotel or lodging house must have an approved and operational
 2.2 carbon monoxide alarm installed in each room lawfully used for sleeping purposes.

2.3 Sec. 4. Minnesota Statutes 2022, section 299F.51, subdivision 2, is amended to read:

2.4 Subd. 2. **Owner's duties.** (a) The owner of a multifamily dwelling unit which is required
 2.5 to be equipped with one or more approved carbon monoxide alarms must:

2.6 (1) provide and install one approved and operational carbon monoxide alarm within ten
 2.7 feet of each room lawfully used for sleeping; and

2.8 (2) replace any required carbon monoxide alarm that has been stolen, removed, found
 2.9 missing, or rendered inoperable during a prior occupancy of the dwelling unit and which
 2.10 has not been replaced by the prior occupant prior to the commencement of a new occupancy
 2.11 of a dwelling unit.

2.12 (b) The owner of a hotel or lodging house which is required to be equipped with one or
 2.13 more approved carbon monoxide alarms must:

2.14 (1) provide and install one approved and operational carbon monoxide alarm in each
 2.15 room lawfully used for sleeping; and

2.16 (2) replace any required carbon monoxide alarm that has been stolen, removed, found
 2.17 missing, or rendered inoperable during a prior occupancy and which has not been replaced
 2.18 by the prior occupant prior to the commencement of a new occupancy of a hotel guest room
 2.19 or lodging house.

2.20 Sec. 5. Minnesota Statutes 2022, section 299F.51, subdivision 5, is amended to read:

2.21 Subd. 5. **Exceptions; certain multifamily dwellings and state-operated facilities.** (a)
 2.22 In lieu of requirements of subdivision 1, multifamily dwellings may have approved and
 2.23 operational carbon monoxide ~~alarms~~ detectors installed between 15 and 25 feet of carbon
 2.24 monoxide-producing central fixtures and equipment, provided there is a centralized alarm
 2.25 system or other mechanism for responsible parties to hear the alarm at all times.

2.26 (b) An owner of a multifamily dwelling that contains minimal or no sources of carbon
 2.27 monoxide may be exempted from the requirements of subdivision 1, provided that such
 2.28 owner certifies to the commissioner of public safety that such multifamily dwelling poses
 2.29 no foreseeable carbon monoxide risk to the health and safety of the dwelling units.

2.30 (c) The requirements of this section do not apply to facilities owned or operated by the
 2.31 state of Minnesota.

3.1 Sec. 6. Minnesota Statutes 2022, section 299F.51, is amended by adding a subdivision to
3.2 read:

3.3 Subd. 6. **Safety warning.** A first violation of this section shall not result in a penalty,
3.4 but is punishable by a safety warning. A second or subsequent violation is a petty
3.5 misdemeanor.