



Ohio Legislative Service Commission

Bill Analysis

Wendy H. Gridley

S.B. 162

130th General Assembly
(As Introduced)

Sen. Hughes

BILL SUMMARY

- Requires the State Fire Marshal and the Board of Building Standards to include in the State Fire Code and the Ohio Building Code, respectively, a requirement that a public or private school install carbon monoxide detectors within each building of the school.

CONTENT AND OPERATION

Requirement for carbon monoxide detectors in school buildings

The bill requires the State Fire Marshal¹ to include in the State Fire Code, and the Board of Building Standards² to include in the Ohio Building Code, a requirement that a public or private school must install carbon monoxide detectors within each building of the school. Although the Ohio Building Code generally applies prospectively,³ the bill provides that the Fire Code rule must contain rules applicable to *existing* public and private schools with respect to carbon monoxide detectors being installed.⁴ The rules to be adopted by both the State Fire Marshal and the Board of Building Standards must specify the locations and product and installation standards for the carbon monoxide detectors.

¹ R.C. 3737.82.

² R.C. 3781.106.

³ R.C. 3781.12(C). Accordingly, building codes generally do not apply retroactively or to existing buildings unless a specific statute requires such an application. The codes generally apply only to new construction or when an existing building is altered, added to, or renovated.

⁴ R.C. 3737.82.

School buildings owned by chartered nonpublic schools or by a city, local, exempted village, or joint vocational school district and operated in conjunction with any primary or secondary school program have, by statute, a specific exception to the general rule that a building must be brought into compliance with the Ohio Building Code when it is altered or repaired.⁵ However, with regard to the Ohio Building Code rule regarding carbon monoxide detectors, the bill removes this exception and applies the carbon monoxide detector requirement to any alteration or repair that requires a building permit.⁶

Because the Fire Code rule required by the bill will apply to all existing buildings, the effect of the bill is to require all schools to have carbon monoxide detectors. Violations of the Fire Code may result in the issuance of a citation that imposes a civil fine of up to \$1,000 for each violation; failure to correct a violation for which a citation has been issued within the period provided for the correction, may result in a civil penalty of up to \$1,000 for each day during which the failure or violation continues.⁷ Any person who knowingly violates the State Fire Code is guilty of a misdemeanor of the first degree.⁸

HISTORY

ACTION	DATE
Introduced	07-24-13

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⁵ R.C. 3781.11(A)(5)(a) (exception applies under current law if school building meets all of the applicable building code requirements in existence at the time of the construction of the building).

⁶ R.C. 3781.11(A)(5) and 3791.04.

⁷ R.C. 3737.51 and 3737.99(B).

⁸ R.C. 3737.99(B) and 3737.51(A).

