

# ONE HUNDRED FOURTH LEGISLATURE - FIRST SESSION - 2015

## COMMITTEE STATEMENT

### LB34

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**Hearing Date:** Thursday January 29, 2015  
**Committee On:** Health and Human Services  
**Introducer:** Howard  
**One Liner:** Adopt the Carbon Monoxide Safety Act

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File

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**Vote Results:**

**Aye:** 6 Senators Campbell, Baker, Crawford, Howard, Kolterman, Riepe  
**Nay:**  
**Absent:** 1 Senator Cook  
**Present Not Voting:**

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**Verbal Testimony:**

**Proponents:**

Senator Sara Howard  
Kara Eastman  
Gene Eckel

Jefferey Cooper  
Donald Johnson

**Representing:**

District 9  
Omaha Healthy Kids Alliance  
Nebraska Association of Commercial Property Owners;  
Apartment Association of Greater Omaha and Lincoln  
University of Nebraska Medical Center  
The Lauren Project

**Opponents:**

**Representing:**

**Neutral:**

**Representing:**

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**Summary of purpose and/or changes:**

LB 34 seeks to ensure that adequate measures are taken to prevent carbon monoxide poisoning in Nebraska homes. LB 34 would require the installation and maintenance of carbon monoxide detectors with alarms in any dwelling sold, rented, or for which a building permit is issued after January 1, 2017.

Section-by-section description:

Section (1): Refers to Sections 1-7 of this act as the Carbon Monoxide Safety Act

Section (2): New language and definitions

Section (3): Adds new requirement that newly constructed single or multi-family dwellings must install carbon monoxide alarms on each habitable floor or in a location specified by the relevant building code of the dwelling.

Section (4): Adds new carbon monoxide requirements for homes sold or transferred or altered in a way requiring a permit, on or after 1/1/17, if the home has a fuel fired heater or appliance, a fireplace, or an attached garage.

Section (5): Adds requirement on the seller of a dwelling unit to have carbon monoxide alarms installed when the

dwelling is offered for sale or transfer on or after 1/1/16 if the dwelling has a fuel-fired heater or appliance, a fireplace, or an attached garage.

Section (6): Adds carbon monoxide alarm installation and maintenance requirements for renters/owners of rental property

Section (7): Adds language specifying that a city, village, or county can adopt/enforce a more stringent carbon monoxide policy than this Act

Section (8): Amends 76-2,120, adding the carbon monoxide alarm requirement to the list of things to be included in a disclosure statement. Requires the Real Estate Commission to adopt rules and regs by 1/1/17.

Section (9): Repealer section

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Kathy Campbell, Chairperson