

SENATE No. 2252

The Commonwealth of Massachusetts

In the Year Two Thousand Ten

An Act relative to the installation of approved smoke detectors in certain residential buildings or structures.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 148 of the General Laws, as appearing in the 2006 Official
2 Edition, is hereby amended by striking section 26D in its entirety and inserting in place thereof
3 the following new section:-

4 Section 26D. (a) Notwithstanding any other general or special law to the contrary
5 and without regard to the date of construction, every existing one or two family building or
6 structure and every existing building or structure containing more than one, but less than six
7 dwelling units, occupied in whole or in part for residential purposes shall, upon sale or transfer of
8 such building or structure, be equipped by the seller with approved smoke detectors in
9 accordance with the rules and regulations of the Board of Fire Prevention Regulations. The head
10 of the fire department shall inspect such building or structure at the time of sale or transfer for
11 compliance with this section.

12 (b) For purposes of this section, the Board of Fire Prevention Regulations shall
13 promulgate all necessary rules and regulations regarding approved smoke detectors for use in

14 existing buildings, including, but not limited to: the type, use, location, duration, power supply,
15 monitoring, notification, method and manner of installation and all definitions related thereto, as
16 it shall deem necessary for the protection of life and property.

17 (c) The head of the fire department shall enforce the provisions of this section.

18 (d) Nothing in this section shall abrogate the authority of the state board of building
19 regulations and standards to regulate smoke detector requirements for the construction of new
20 buildings and for existing buildings undergoing repair, alteration, addition, or change of use.

21 SECTION 2. Chapter 148 of the General Laws, as so appearing is hereby further
22 amended by striking section 26E in its entirety.

23 SECTION 3. Chapter 148 of the General Laws, as so appearing, is hereby further
24 amended by striking out section 26F in its entirety.