

Introduced by

Representatives B. Thoreson, Carlisle, Devlin, Sandvig

Senators Flakoll, Stenehjem

1 A BILL for an Act to amend and reenact section 23-13-15 of the North Dakota Century Code,
2 relating to residential rental property smoke detection systems.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 23-13-15 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **23-13-15. Smoke detection systems for residential rental property - Penalty.**

- 7 1. All residential rental property with the exception of property covered by section
8 23-09-02.1 must be equipped with smoke detection systems or other approved
9 alarm systems for the protection of occupants of the property. Systems must be
10 installed and maintained in compliance with applicable national fire protection
11 standards as defined by rules adopted by the state fire marshal. The state fire
12 marshal and local fire departments shall provide information concerning the
13 installation of smoke detection systems to owners of residential rental properties.
14 A system installed in a single family rental dwelling must be maintained and
15 inspected by the tenant occupying the single family rental dwelling. In other
16 dwellings, the landlord is responsible for installation and ensuring the proper
17 operation of the system upon the occupancy of each new tenant. ~~The landlord~~
18 ~~may require the tenant to sign a certificate stating that the system is in proper~~
19 ~~working condition, on taking occupancy, if that is the case.~~ The tenant is
20 responsible for maintaining the system during the tenant's occupancy.
- 21 2. Nothing in this section may be construed to alter the provisions of chapter 54-21.3
22 regarding smoke detection systems or alarm systems for newly constructed
23 residences.

- 1 3. Any property owner who willfully fails to install a system as required by this section
2 is guilty of a class B misdemeanor.