

HOUSE No. 2396

The Commonwealth of Massachusetts

PRESENTED BY:

Jeffrey N. Roy

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the requirement of explosive gas sensor devices.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Jeffrey N. Roy</i>	<i>10th Norfolk</i>	<i>1/4/2023</i>
<i>Carmin Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>1/19/2023</i>

HOUSE No. 2396

By Representative Roy of Franklin, a petition (accompanied by bill, House, No. 2396) of Jeffrey N. Roy and Carmine Lawrence Gentile for legislation to require explosive gas sensor devices in residential buildings. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to the requirement of explosive gas sensor devices.

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 is amended by adding Paragraphs (a)
2 through (g) as a new Section 26F3/4.

3 (a) Every dwelling, building or structure, including those owned or operated by the
4 commonwealth, occupied in whole or in part for residential purposes, that: contains equipment
5 including, but not limited to, a furnace, boiler, water heater, fireplace or any other apparatus,
6 appliance or device that burns an explosive gas shall be equipped by the owner with working,
7 approved explosive gas sensor device in conformance with the requirements of the board of fire
8 prevention regulations; provided, however, that such requirements shall include, but not be
9 limited to, a requirement that a landlord or superintendent shall install either approved monitored
10 battery-powered alarms or approved electrical wiring alarms as defined by the board, as are
11 required to make the alarms operational at the beginning of any rental period by lease or
12 otherwise and shall maintain and, if necessary, replace batteries or such battery-operated or

13 electric hardwired explosive gas sensor device annually thereafter to insure their continued
14 operability.

15 (b) The board of fire prevention regulations shall promulgate such regulations as may be
16 necessary to effectuate this section including, but not limited to, the type, installation, location,
17 maintenance and inspectional requirements of explosive gas sensor devices.

18 (c) Every dwelling, building or structure, occupied in whole or in part for residential
19 purposes, shall, upon sale or transfer of such dwelling, building or structure, be inspected by the
20 head of the fire department for compliance with the requirements of this section.

21 (d) The state building code may impose stricter explosive gas sensor device requirements
22 for new construction or dwellings, buildings, or structures substantially renovated so as to
23 constitute the equivalent of new construction. Every such dwelling building or structure,
24 occupied in whole or in part for residential purposes, shall, upon sale or transfer of such
25 dwelling, building or structure, be inspected by the head of the fire department for compliance
26 with the explosive gas sensor device requirements of the state building code in effect on the date
27 of the issuance of the relevant building permit.

28 (e) The head of the fire department shall enforce this section.

29 (f) The department of public health shall promulgate such rules and regulations as may be
30 necessary to effectuate subsection (a) into the state sanitary code as established under section
31 127A of chapter 111.

32 (g) "Explosive gas sensor device" means an alarm device that complies with the
33 applicable standards of the American National Standards Institute, or its successor, for residential

- 34 devices for the detection of explosive quantities of methane and propane gases, unless such
- 35 standards are superseded by rules adopted by the board of fire prevention regulations.