

AMENDED IN SENATE APRIL 28, 2011

AMENDED IN SENATE MARCH 22, 2011

**SENATE BILL**

**No. 840**

---

---

**Introduced by Senator Evans**

February 18, 2011

---

---

An act to add Section 1287 to the Health and Safety Code, relating to care facilities.

LEGISLATIVE COUNSEL'S DIGEST

SB 840, as amended, Evans. Health-care facilities: carbon monoxide detectors.

Existing law provides for the licensure and regulation of health facilities, including, but not limited to, skilled nursing facilities, as defined, administered by the State Department of Public Health. A violation of these provisions is a crime.

This bill would require an owner of a skilled nursing facility to install *prescribed* carbon monoxide devices in that facility, ~~that are approved and listed by the State Fire Marshal pursuant to Section 13263, if it has a fossil fuel burning appliance within the interior of the facility~~ on or before January 1, 2013. *This bill would require the department to prescribe the criteria for the number and placement of carbon monoxide devices in a skilled nursing facility and to adopt and enforce regulations prescribing building standards for the adequacy and safety of skilled nursing facility physical plants for these purposes.* By expanding the scope of an existing crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 1287 is added to the Health and Safety  
2 Code, to read:

3 1287. (a) An owner of a skilled nursing facility shall install  
4 carbon monoxide devices in the facility, that are approved and  
5 listed by the State Fire Marshal pursuant to Section 13263, on or  
6 before January 1, 2013.

7 (b) *The department shall prescribe the criteria for the number*  
8 *and placement of carbon monoxide devices in a skilled nursing*  
9 *facility and shall adopt and enforce regulations prescribing*  
10 *building standards for the adequacy and safety of skilled nursing*  
11 *facility physical plants for the purposes of this section.*

12 (c) *A skilled nursing facility that does not have a fossil fuel*  
13 *burning appliance within the interior of the facility shall not be*  
14 *required to install carbon monoxide devices pursuant to this*  
15 *section. For purposes of this section, “fossil fuel” means coal,*  
16 *kerosene, oil, wood, fuel gases, and other petroleum or*  
17 *hydrocarbon products that emit carbon monoxide as a byproduct*  
18 *of combustion.*

19 SEC. 2. No reimbursement is required by this act pursuant to  
20 Section 6 of Article XIII B of the California Constitution because  
21 the only costs that may be incurred by a local agency or school  
22 district will be incurred because this act creates a new crime or  
23 infraction, eliminates a crime or infraction, or changes the penalty  
24 for a crime or infraction, within the meaning of Section 17556 of  
25 the Government Code, or changes the definition of a crime within  
26 the meaning of Section 6 of Article XIII B of the California  
27 Constitution.

O