

**164.9492 Duty of public or private postsecondary institution to disclose existence or nonexistence of automatic fire suppression system in on-campus housing facility -- Exemption.**

- (1) Any public or private institution of postsecondary education which operates or acts as agent for an on-campus housing facility within the Commonwealth shall disclose to any potential lessee as to whether the on-campus housing facility is or is not equipped with an automatic fire suppression system.
- (2) Except as provided in subsection (4) of this section, a two (2) part written disclosure statement separate from other rental documents, with typeface of no less than fourteen (14) points, shall be signed by both parties acknowledging that disclosure of the presence or lack of an automatic fire suppression system has been made.
- (3) The potential lessee shall be given a copy of the disclosure form and a copy shall be retained by the lessor for the duration of the rental agreement. At the end of each calendar year, institutions of postsecondary education shall make available, upon request from the state fire marshal or any local fire official, a copy of the disclosure form and an affidavit certifying that disclosure as to whether or not the premises were equipped with an automatic fire suppression system were provided as part of any rental agreement.
- (4) If the institution has an automatic fire suppression system in place and properly functioning at every on-campus housing facility under the control of the institution, the institution shall be exempt from this section.

**Effective:** July 13, 2004

**History:** Created 2004 Ky. Acts ch. 110, sec. 1, effective July 13, 2004.

**Legislative Research Commission Note** (7/13/2004). Although 2004 Ky. Acts ch. 110, sec. 1, indicated that this section was to be created as a new section on KRS 383.010 to 383.285, the statute has been codified in KRS Chapter 164 due to the subject matter of the section and in accordance with KRS 7.136(1)(a).