

115TH CONGRESS
1ST SESSION

H. R. 3049

To amend title 10, United States Code, to require the windows in military family housing units to be equipped with fall prevention devices that protect against unintentional falls by young children, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 23, 2017

Mr. TURNER introduced the following bill; which was referred to the
Committee on Armed Services

A BILL

To amend title 10, United States Code, to require the windows in military family housing units to be equipped with fall prevention devices that protect against unintentional falls by young children, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as “Evan’s Law”.

1 **SEC. 2. REQUIREMENTS FOR WINDOW FALL PREVENTION**
2 **DEVICES IN MILITARY FAMILY HOUSING.**

3 (a) REQUIREMENT.—Chapter 169 of title 10, United
4 States Code, is amended by inserting after section 2878
5 the following new section:

6 **“§ 2879. Window fall prevention devices in military**
7 **family housing units**

8 “(a) REQUIRING USE OF DEVICES ON CERTAIN WIN-
9 DOWS.—The Secretary concerned shall ensure that if a
10 window in any military family housing unit acquired or
11 constructed under this chapter is described in subsection
12 (b), including a window designed for emergency escape or
13 rescue, the window is equipped with fall prevention devices
14 that protect against unintentional window falls by young
15 children and that are in compliance with applicable Inter-
16 national Building Code (IBC) standards.

17 “(b) WINDOWS DESCRIBED.—A window is described
18 in this subsection if the bottom sill of the window is within
19 36 inches of the floor, as measured in the interior of the
20 unit.”.

21 (b) BRIEFING ON IMPLEMENTATION.—Not later than
22 180 days after the date of the enactment of this Act, the
23 Secretary of each military department shall brief the Com-
24 mittee on Armed Services of the House of Representatives
25 on the implementation of section 2879 of title 10, United

1 States Code (as added by subsection (a)), and include in
2 the briefing the following:

3 (1) The extent to which the Secretary is in
4 compliance with the requirements of such section.

5 (2) A plan for the retrofitting of existing mili-
6 tary family housing units to enable the units to meet
7 the requirements of such section.

8 (3) The feasibility and cost-effectiveness of ex-
9 panding the requirements of such section to apply to
10 windows for which the bottom sill—

11 (A) is within 42 inches of the floor, as
12 measured in the interior of the unit; or

13 (B) is 72 inches or more above the ground,
14 as measured on the exterior of the unit.

15 (4) The feasibility and cost-effectiveness of
16 modifying the requirements of such section to re-
17 quire windows to be equipped with fall prevention
18 devices that meet the following requirements:

19 (A) The device attaches to the window
20 frame and covers the entire opening with mate-
21 rials of sufficient strength to withstand 60
22 pounds (27 kg) of force.

23 (B) The device allows protection in case of
24 a fully opened window.

1 (C) The device prohibits the passage of a
2 4-inch rigid sphere anywhere in the window
3 opening.

4 (D) The device has a 2-step release mecha-
5 nism that—

6 (i) allows the window to be fully
7 opened for emergency escape or rescue
8 with no more than 15 lb ft of force;

9 (ii) requires 2 distinct actions to oper-
10 ate;

11 (iii) is clearly identified for use in an
12 emergency; and

13 (iv) is not designed in a manner which
14 accommodates the use of locking devices
15 which require special tools or knowledge to
16 operate, such as combination locks or
17 keyed locks.

18 (5) The feasibility and cost-effectiveness of ex-
19 tending the requirements of such section to private
20 housing leased or otherwise used by military fami-
21 lies.

22 (6) The feasibility and cost-effectiveness of
23 other potential methods to protect against uninten-
24 tional window falls by young children in military
25 family housing units.

1 (c) CLERICAL AMENDMENT.—The table of sections
2 for chapter 169 of such title is amended by inserting after
3 the item relating to section 2878 the following new item:

“2879. Window fall prevention devices in military family housing units.”.

