

Union Calendar No. 165

116TH CONGRESS
1ST SESSION

H. R. 1618

[Report No. 116–208, Part I]

To encourage States to require the installation of residential carbon monoxide detectors in homes, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 7, 2019

Ms. KUSTER of New Hampshire (for herself and Mr. CARTER of Georgia) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

SEPTEMBER 16, 2019

Additional sponsors: Mr. UPTON, Ms. KELLY of Illinois, Mr. RUSH, Ms. SCHAKOWSKY, Mr. SOTO, Ms. BLUNT ROCHESTER, Mr. FITZPATRICK, and Ms. NORTON

SEPTEMBER 16, 2019

Reported from the Committee on Energy and Commerce with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

SEPTEMBER 16, 2019

Committee on House Administration discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on March 7, 2019]

A BILL

To encourage States to require the installation of residential carbon monoxide detectors in homes, 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 the “Nicholas and Zachary*
5 *Burt Carbon Monoxide Poisoning Prevention Act of 2019”.*

6 **SEC. 2. FINDINGS AND SENSE OF CONGRESS.**

7 (a) *FINDINGS.*—*Congress finds the following:*

8 (1) *Carbon monoxide is a colorless, odorless gas*
9 *produced by burning any fuel. Exposure to unhealthy*
10 *levels of carbon monoxide can lead to carbon mon-*
11 *oxide poisoning, a serious health condition that could*
12 *result in death.*

13 (2) *Unintentional carbon monoxide poisoning*
14 *from motor vehicles and the abnormal operation of*
15 *fuel-burning appliances, such as furnaces, water heat-*
16 *ers, portable generators, and stoves, kills more than*
17 *400 people each year and sends more than 15,000 to*
18 *hospital emergency rooms for treatment.*

19 (3) *Research shows that purchasing and install-*
20 *ing carbon monoxide alarms close to the sleeping*
21 *areas in residential homes and other dwelling units*
22 *can help avoid fatalities.*

23 (b) *SENSE OF CONGRESS.*—*It is the sense of Congress*
24 *that Congress should promote the purchase and installation*
25 *of carbon monoxide alarms in residential homes and dwell-*

1 *ing units nationwide in order to promote the health and*
 2 *public safety of citizens throughout the United States.*

3 **SEC. 3. DEFINITIONS.**

4 *In this Act:*

5 (1) *CARBON MONOXIDE ALARM.*—*The term “car-*
 6 *bon monoxide alarm” means a device or system*
 7 *that—*

8 (A) *detects carbon monoxide; and*

9 (B) *is intended to alarm at carbon mon-*
 10 *oxide concentrations below those that could cause*
 11 *a loss of ability to react to the dangers of carbon*
 12 *monoxide exposure.*

13 (2) *COMMISSION.*—*The term “Commission”*
 14 *means the Consumer Product Safety Commission.*

15 (3) *COMPLIANT CARBON MONOXIDE ALARM.*—*The*
 16 *term “compliant carbon monoxide alarm” means a*
 17 *carbon monoxide alarm that complies with the most*
 18 *current version of—*

19 (A) *the American National Standard for*
 20 *Single and Multiple Station Carbon Monoxide*
 21 *Alarms (ANSI/UL 2034); or*

22 (B) *the American National Standard for*
 23 *Gas and Vapor Detectors and Sensors (ANSI/UL*
 24 *2075).*

1 (4) *DWELLING UNIT*.—The term “dwelling unit”
2 means a room or suite of rooms used for human habi-
3 tation, and includes a single family residence as well
4 as each living unit of a multiple family residence (in-
5 cluding apartment buildings) and each living unit in
6 a mixed use building.

7 (5) *FIRE CODE ENFORCEMENT OFFICIALS*.—The
8 term “fire code enforcement officials” means officials
9 of the fire safety code enforcement agency of a State
10 or local government.

11 (6) *NFPA 72*.—The term “NFPA 72” means—

12 (A) the National Fire Alarm and Signaling
13 Code issued in 2019 by the National Fire Protec-
14 tion Association; and

15 (B) any amended or similar successor
16 standard pertaining to the proper installation of
17 carbon monoxide alarms in dwelling units.

18 (7) *STATE*.—The term “State” has the meaning
19 given such term in section 3 of the Consumer Product
20 Safety Act (15 U.S.C. 2052) and includes the North-
21 ern Mariana Islands and any political subdivision of
22 a State.

1 **SEC. 4. GRANT PROGRAM FOR CARBON MONOXIDE POI-**
2 **SONING PREVENTION.**

3 (a) *IN GENERAL.*—Subject to the availability of appro-
4 priations authorized under subsection (f), the Commission
5 shall establish a grant program to provide assistance to eli-
6 gible States to carry out the carbon monoxide poisoning
7 prevention activities described in subsection (e).

8 (b) *ELIGIBILITY.*—For purposes of this section, an eli-
9 gible State is any State that—

10 (1) *demonstrates to the satisfaction of the Com-*
11 *mission that the State has adopted a statute or a rule,*
12 *regulation, or similar measure with the force and ef-*
13 *fect of law, requiring compliant carbon monoxide*
14 *alarms to be installed in dwelling units in accordance*
15 *with NFPA 72; and*

16 (2) *submits an application to the Commission at*
17 *such time, in such form, and containing such addi-*
18 *tional information as the Commission may require,*
19 *which application may be filed on behalf of the State*
20 *by the fire code enforcement officials for such State.*

21 (c) *GRANT AMOUNT.*—The Commission shall deter-
22 mine the amount of the grants awarded under this section.

23 (d) *SELECTION OF GRANT RECIPIENTS.*—In selecting
24 eligible States for the award of grants under this section,
25 the Commission shall give favorable consideration to an eli-
26 gible State that—

1 (1) *requires the installation of compliant carbon*
2 *monoxide alarms in new or existing educational fa-*
3 *cilities, childcare facilities, health care facilities, adult*
4 *dependent care facilities, government buildings, res-*
5 *taurants, theaters, lodging establishments, or dwelling*
6 *units—*

7 (A) *within which a fuel-burning appliance*
8 *is installed, including a furnace, boiler, water*
9 *heater, fireplace, or any other apparatus, appli-*
10 *ance, or device that burns fuel; or*

11 (B) *which has an attached garage; and*

12 (2) *has developed a strategy to protect vulnerable*
13 *populations such as children, the elderly, or low-in-*
14 *come households.*

15 (e) *USE OF GRANT FUNDS.—*

16 (1) *IN GENERAL.—An eligible State receiving a*
17 *grant under this section may use such grant—*

18 (A) *to purchase and install compliant car-*
19 *bon monoxide alarms in the dwelling units of*
20 *low-income families or elderly persons, facilities*
21 *that commonly serve children or the elderly, in-*
22 *cluding childcare facilities, public schools, and*
23 *senior centers, or student dwelling units owned*
24 *by public universities;*

1 (B) to train State or local fire code enforce-
2 ment officials in the proper enforcement of State
3 or local laws concerning compliant carbon mon-
4 oxide alarms and the installation of such alarms
5 in accordance with NFPA 72;

6 (C) for the development and dissemination
7 of training materials, instructors, and any other
8 costs related to the training sessions authorized
9 by this subsection; and

10 (D) to educate the public about the risk as-
11 sociated with carbon monoxide as a poison and
12 the importance of proper carbon monoxide alarm
13 use.

14 (2) *LIMITATIONS.*—

15 (A) *ADMINISTRATIVE COSTS.*—Not more
16 than 10 percent of any grant amount received
17 under this section may be used to cover adminis-
18 trative costs not directly related to training de-
19 scribed in paragraph (1)(B).

20 (B) *PUBLIC OUTREACH.*—Not more than 25
21 percent of any grant amount received under this
22 section may be used to cover costs of activities
23 described in paragraph (1)(D).

24 (f) *AUTHORIZATION OF APPROPRIATIONS.*—

1 (1) *IN GENERAL.*—Subject to paragraph (2),
2 there is authorized to be appropriated to the Commis-
3 sion, for each of the fiscal years 2020 through 2024,
4 \$2,000,000, which shall remain available until ex-
5 pended to carry out this Act.

6 (2) *LIMITATION ON ADMINISTRATIVE EX-*
7 *PENSES.*—Not more than 10 percent of the amounts
8 appropriated or otherwise made available to carry
9 out this section may be used for administrative ex-
10 penses.

11 (3) *RETENTION OF AMOUNTS.*—Any amounts ap-
12 propriated pursuant to this subsection that remain
13 unexpended and unobligated on September 30, 2024,
14 shall be retained by the Commission and credited to
15 the appropriations account that funds the enforcement
16 of the Consumer Product Safety Act (15 U.S.C. 2051).

17 (g) *REPORT.*—Not later than 1 year after the last day
18 of each fiscal year for which grants are awarded under this
19 section, the Commission shall submit to Congress a report
20 that evaluates the implementation of the grant program re-
21 quired by this section.

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