

116TH CONGRESS
1ST SESSION

S. 481

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

IN THE SENATE OF THE UNITED STATES

FEBRUARY 13, 2019

Ms. KLOBUCHAR (for herself and Mr. HOEVEN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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 Memorial Carbon Monoxide Poisoning Prevention
6 Act of 2019”.

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

8 (a) FINDINGS.—Congress finds the following:

9 (1) Carbon monoxide is a colorless, odorless gas
10 produced by burning any fuel. Exposure to unheal-

1 thy levels of carbon monoxide can lead to carbon
2 monoxide poisoning, a serious health condition that
3 could result in death.

4 (2) Unintentional carbon monoxide poisoning
5 from motor vehicles and improper operation of fuel-
6 burning appliances, such as furnaces, water heaters,
7 portable generators, and stoves, annually kills more
8 than 400 individuals and sends approximately
9 15,000 individuals to hospital emergency rooms for
10 treatment.

11 (3) Research shows that installing carbon mon-
12 oxide alarms close to the sleeping areas in residen-
13 tial homes and other dwelling units can help avoid
14 fatalities.

15 (b) SENSE OF CONGRESS.—It is the sense of Con-
16 gress that Congress should promote the installation of car-
17 bon monoxide alarms in residential homes and dwelling
18 units across the United States in order to promote the
19 health and public safety of citizens throughout the United
20 States.

21 **SEC. 3. DEFINITIONS.**

22 In this Act:

23 (1) CARBON MONOXIDE ALARM.—The term
24 “carbon monoxide alarm” means a device or system
25 that—

1 (A) detects carbon monoxide; and

2 (B) is intended to sound an alarm at a
3 carbon monoxide concentration below a con-
4 centration that could cause a loss of the ability
5 to react to the dangers of carbon monoxide ex-
6 posure.

7 (2) COMMISSION.—The term “Commission”
8 means the Consumer Product Safety Commission.

9 (3) COMPLIANT CARBON MONOXIDE ALARM.—
10 The term “compliant carbon monoxide alarm”
11 means a carbon monoxide alarm that complies with
12 the most current version of—

13 (A) the Standard for Single and Multiple
14 Station Carbon Monoxide Alarms of the Amer-
15 ican National Standards Institute and UL
16 (ANSI/UL 2034), or any successor standard;
17 and

18 (B) the Standard for Gas and Vapor De-
19 tectors and Sensors of the American National
20 Standards Institute and UL (ANSI/UL 2075),
21 or any successor standard.

22 (4) DWELLING UNIT.—The term “dwelling
23 unit”—

24 (A) means a room or suite of rooms used
25 for human habitation; and

1 (B) includes—

2 (i) a single family residence;

3 (ii) each living unit of a multiple fam-
4 ily residence, including an apartment build-
5 ing; and

6 (iii) each living unit in a mixed use
7 building.

8 (5) FIRE CODE ENFORCEMENT OFFICIALS.—

9 The term “fire code enforcement officials” means of-
10 ficials of the fire safety code enforcement agency of
11 a State or local government or a tribal organization.

12 (6) NFPA 720.—The term “NFPA 720”
13 means—

14 (A) the Standard for the Installation of
15 Carbon Monoxide Detection and Warning
16 Equipment issued by the National Fire Protec-
17 tion Association in 2012; and

18 (B) any amended or similar successor
19 standard relating to the proper installation of
20 carbon monoxide alarms in dwelling units.

21 (7) STATE.—The term “State”—

22 (A) has the meaning given the term in sec-
23 tion 3(a) of the Consumer Product Safety Act
24 (15 U.S.C. 2052(a)); and

25 (B) includes—

1 (i) the Commonwealth of the North-
2 ern Mariana Islands; and

3 (ii) any political subdivision of a
4 State.

5 (8) TRIBAL ORGANIZATION.—The term “tribal
6 organization” has the meaning given the term in
7 section 4(l) of the Indian Self-Determination and
8 Education Assistance Act (25 U.S.C. 5304(l)).

9 **SEC. 4. GRANT PROGRAM FOR CARBON MONOXIDE POI-**
10 **SONING PREVENTION.**

11 (a) IN GENERAL.—Subject to the availability of ap-
12 propriations authorized under subsection (f), the Commis-
13 sion shall establish a grant program to provide assistance
14 to States and tribal organizations that are eligible under
15 subsection (b) to carry out the carbon monoxide poisoning
16 prevention activities described in subsection (e).

17 (b) ELIGIBILITY.—For the purposes of this section,
18 an eligible State or tribal organization is any State or trib-
19 al organization that—

20 (1) demonstrates to the satisfaction of the
21 Commission that the State or tribal organization has
22 adopted a statute or a rule, regulation, or similar
23 measure that—

24 (A) has the force and effect of law; and

1 (B) requires compliant carbon monoxide
2 alarms to be installed in dwelling units in ac-
3 cordance with NFPA 720; and

4 (2) submits an application—

5 (A) to the Commission at such time, in
6 such form, and containing such additional in-
7 formation as the Commission may require; and

8 (B) that may be filed on behalf of the
9 State or tribal organization by the fire safety
10 code enforcement agency of that State or tribal
11 organization.

12 (c) GRANT AMOUNT.—The Commission shall deter-
13 mine the amount of each grant awarded under this sec-
14 tion.

15 (d) SELECTION OF GRANT RECIPIENTS.—In select-
16 ing eligible States and tribal organizations for the award
17 of grants under this section, the Commission shall give
18 favorable consideration to an eligible State or tribal orga-
19 nization that—

20 (1) requires the installation of a compliant car-
21 bon monoxide alarm in a new or existing educational
22 facility, childcare facility, health care facility, adult
23 dependent care facility, government building, res-
24 taurant, theater, lodging establishment, or dwelling
25 unit—

1 (A) within which a fuel-burning appliance,
2 including a furnace, boiler, water heater, fire-
3 place, or any other apparatus, appliance, or de-
4 vice that burns fuel, is installed; or

5 (B) that has an attached garage; and

6 (2) has developed a strategy to protect vulner-
7 able populations, such as children, the elderly, or
8 low-income households, from exposure to unhealthy
9 levels of carbon monoxide.

10 (e) USE OF GRANT FUNDS.—

11 (1) IN GENERAL.—Subject to paragraph (2), an
12 eligible State or tribal organization to which a grant
13 is awarded under this section may use the grant—

14 (A) to purchase and install compliant car-
15 bon monoxide alarms in the dwelling units of
16 low-income families or elderly individuals, facili-
17 ties that commonly serve children or the elderly
18 (including childcare facilities, public schools,
19 and senior centers), or student dwelling units
20 owned by public universities;

21 (B) to train State, tribal organization, or
22 local fire code enforcement officials in the prop-
23 er enforcement of State, tribal, or local laws re-
24 garding compliant carbon monoxide alarms and

1 the installation of those alarms in accordance
2 with NFPA 720;

3 (C) for the development and dissemination
4 of training materials, instructors, and any other
5 costs relating to the training sessions author-
6 ized under this subsection; or

7 (D) to educate the public about—

8 (i) the risk associated with carbon
9 monoxide as a poison; and

10 (ii) the importance of proper carbon
11 monoxide alarm use.

12 (2) LIMITATIONS.—

13 (A) ADMINISTRATIVE COSTS.—An eligible
14 State or tribal organization to which a grant is
15 awarded under this section may use not more
16 than 5 percent of the grant amount to cover ad-
17 ministrative costs that are not directly related
18 to training described in paragraph (1)(B).

19 (B) PUBLIC OUTREACH.—An eligible State
20 or tribal organization to which a grant is
21 awarded under this section may use not more
22 than 25 percent of the grant amount to cover
23 the costs of activities described in paragraph
24 (1)(D).

25 (f) AUTHORIZATION OF APPROPRIATIONS.—

1 (1) IN GENERAL.—Subject to paragraph (2),
2 there is authorized to be appropriated to the Com-
3 mission, for each of fiscal years 2019 through 2023,
4 \$2,000,000 to carry out this Act, which shall remain
5 available until expended.

6 (2) LIMITATION ON ADMINISTRATIVE EX-
7 PENSES.—In a fiscal year, not more than 10 percent
8 of the amounts appropriated or otherwise made
9 available to carry out this Act may be used for ad-
10 ministrative expenses.

11 (3) RETENTION OF AMOUNTS.—Any amounts
12 appropriated under this subsection that remain un-
13 expended and unobligated on September 30, 2023,
14 shall be retained by the Commission and credited to
15 the appropriations account that funds the enforce-
16 ment of the Consumer Product Safety Act (15
17 U.S.C. 2051 et seq.).

18 (g) REPORT.—Not later than 1 year after the last
19 day of each fiscal year in which grants are awarded under
20 this section, the Commission shall submit to Congress a
21 report that evaluates the implementation of the grant pro-
22 gram required under this section.

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