

Calendar No. 323

114TH CONGRESS
1ST SESSION

S. 1250

[Report No. 114–179]

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

MAY 7, 2015

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

DECEMBER 14, 2015

Reported by Mr. THUNE, with an amendment

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

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Nicholas and Zachary
3 Burt Memorial Carbon Monoxide Poisoning Prevention
4 Act of 2015”.

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

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

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

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

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

22 (b) **SENSE OF CONGRESS.**—It is the sense of Con-
23 gress that Congress should promote the purchase and in-
24 stallation of carbon monoxide alarms in residential homes
25 and dwelling units nationwide in order to promote the

1 health and public safety of citizens throughout the United
 2 States.

3 **SEC. 3. DEFINITIONS.**

4 In this Act:

5 (1) CARBON MONOXIDE ALARM.—The term
 6 “carbon 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
 11 cause a loss of ability to react to the dangers
 12 of carbon monoxide exposure.

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

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

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

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

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

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

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

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

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

20 (7) STATE.—The term “State” has the mean-
21 ing given such term in section 3 of the Consumer
22 Product Safety Act (15 U.S.C. 2052) and includes
23 the Northern Mariana Islands and any political sub-
24 division of a State.

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

3 (a) **IN GENERAL.**—Subject to the availability of ap-
 4 propriations authorized under subsection (f), the Commis-
 5 sion shall establish a grant program to provide assistance
 6 to eligible States to carry out the carbon monoxide poi-
 7 soning prevention activities described in subsection (e).

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

10 (1) demonstrates to the satisfaction of the
 11 Commission that the State has adopted a statute or
 12 a rule, regulation, or similar measure with the force
 13 and effect of law, requiring compliant carbon mon-
 14 oxide alarms to be installed in dwelling units in ac-
 15 cordance with NFPA 720; and

16 (2) submits an application to the Commission
 17 at such time, in such form, and containing such ad-
 18 ditional 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 select-
 24 ing eligible States for the award of grants under this sec-
 25 tion, the Commission shall give favorable consideration to
 26 an eligible State that—

(1) requires the installation of compliant carbon monoxide alarms in new or existing educational facilities, childcare facilities, health care facilities, adult dependent care facilities, government buildings, restaurants, theaters, lodging establishments, or dwelling units—

(A) within which a fuel-burning appliance is installed, including a furnace, boiler, water heater, fireplace, or any other apparatus, appliance, or device that burns fuel; or

(B) which has an attached garage; and

(2) has developed a strategy to protect vulnerable populations such as children, the elderly, or low-income households.

(c) USE OF GRANT FUNDS.—

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

(A) to purchase and install compliant carbon monoxide alarms in the dwelling units of low-income families or elderly persons, facilities that commonly serve children or the elderly, including childcare facilities, public schools, and senior centers, or student dwelling units owned by public universities;

1 ~~(B)~~ to train State or local fire code en-
 2 forcement officials in the proper enforcement of
 3 State or local laws concerning compliant carbon
 4 monoxide alarms and the installation of such
 5 alarms in accordance with NFPA 720;

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
 11 associated with carbon monoxide as a poison
 12 and the importance of proper carbon monoxide
 13 alarm 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 admin-
 18 istrative costs not directly related to training
 19 described in paragraph ~~(1)(B)~~.

20 ~~(B) PUBLIC OUTREACH.—~~Not more than
 21 25 percent of any grant amount received under
 22 this section may be used to cover costs of activi-
 23 ties 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 Com-
3 mission, for each of the fiscal years 2015 through
4 2019, \$2,000,000, which shall remain available until
5 expended 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~~
12 ~~appropriated pursuant to this subsection that re-~~
13 ~~main unexpended and unobligated on September 30,~~
14 ~~2019, shall be retained by the Commission and cred-~~
15 ~~ited to the appropriations account that funds the en-~~
16 ~~forcement of the Consumer Product Safety Act (15~~
17 ~~U.S.C. 2051).~~

18 ~~(g) REPORT.—Not later than 1 year after the last~~
19 ~~day of each fiscal year for 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 by this section.~~

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Nicholas and Zachary*
 3 *Burt Memorial Carbon Monoxide Poisoning Prevention Act*
 4 *of 2015”.*

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

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

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

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

18 (3) *Research shows that installing carbon mon-*
 19 *oxide alarms close to the sleeping areas in residential*
 20 *homes and other dwelling units can help avoid fatali-*
 21 *ties.*

22 (b) *SENSE OF CONGRESS.*—*It is the sense of Congress*
 23 *that Congress should promote the installation of carbon*
 24 *monoxide alarms in residential homes and dwelling units*
 25 *nationwide in order to promote the health and public safety*
 26 *of citizens throughout the United States.*

1 **SEC. 3. DEFINITIONS.**

2 *In this Act:*

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

6 (A) *detects carbon monoxide; and*

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

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

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

17 (A) *the Standard for Single and Multiple*
 18 *Station Carbon Monoxide Alarms of the Amer-*
 19 *ican National Standards Institute and UL*
 20 *(ANSI/UL 2034) or successor standard; and*

21 (B) *the Standard for Gas and Vapor Detec-*
 22 *tors and Sensors of the American National*
 23 *Standards Institute and UL (ANSI/UL 2075) or*
 24 *successor standard.*

25 (4) *DWELLING UNIT.*—*The term “dwelling unit”*
 26 *means a room or suite of rooms used for human habi-*

1 *tation, and includes a single family residence as well*
 2 *as each living unit of a multiple family residence (in-*
 3 *cluding apartment buildings) and each living unit in*
 4 *a mixed use building.*

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

9 (6) *NFPA 720.*—*The term “NFPA 720”*
 10 *means—*

11 (A) *the Standard for the Installation of*
 12 *Carbon Monoxide Detection and Warning*
 13 *Equipment issued by the National Fire Protec-*
 14 *tion Association in 2012; 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.*

23 (8) *TRIBAL ORGANIZATION.*—*The term “tribal*
 24 *organization” has the meaning given such term in*

1 *section 4 of the Indian Self-Determination and Edu-*
 2 *cation Assistance Act (25 U.S.C. 450b).*

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

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

11 *(b) ELIGIBILITY.—For purposes of this section, an eli-*
 12 *gible State or tribal organization is any State or tribal or-*
 13 *ganization that—*

14 *(1) demonstrates to the satisfaction of the Com-*
 15 *mission that the State or tribal organization has*
 16 *adopted a statute or a rule, regulation, or similar*
 17 *measure with the force and effect of law, requiring*
 18 *compliant carbon monoxide alarms to be installed in*
 19 *dwelling units in accordance with NFPA 720; and*

20 *(2) submits an application to the Commission at*
 21 *such time, in such form, and containing such addi-*
 22 *tional information as the Commission may require,*
 23 *which application may be filed on behalf of the State*
 24 *or tribal organization by the fire code enforcement of-*
 25 *ficials for such State or tribal organization.*

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

3 (d) *SELECTION OF GRANT RECIPIENTS.*—*In selecting*
 4 *eligible States and tribal organizations for the award of*
 5 *grants under this section, the Commission shall give favor-*
 6 *able consideration to an eligible State or tribal organization*
 7 *that—*

8 (1) *requires the installation of compliant carbon*
 9 *monoxide alarms in new or existing educational fa-*
 10 *cilities, childcare facilities, health care facilities, adult*
 11 *dependent care facilities, government buildings, res-*
 12 *taurants, theaters, lodging establishments, or dwelling*
 13 *units—*

14 (A) *within which a fuel-burning appliance*
 15 *is installed, including a furnace, boiler, water*
 16 *heater, fireplace, or any other apparatus, appli-*
 17 *ance, or device that burns fuel; or*

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

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

22 (e) *USE OF GRANT FUNDS.*—

23 (1) *IN GENERAL.*—*An eligible State or tribal or-*
 24 *ganization receiving a grant under this section may*
 25 *use such grant—*

1 (A) to purchase and install compliant car-
2 bon monoxide alarms in the dwelling units of
3 low-income families or elderly persons, facilities
4 that commonly serve children or the elderly, in-
5 cluding childcare facilities, public schools, and
6 senior centers, or student dwelling units owned
7 by public universities;

8 (B) to train State, tribal organization, or
9 local fire code enforcement officials in the proper
10 enforcement of State, tribal, or local laws con-
11 cerning compliant carbon monoxide alarms and
12 the installation of such alarms in accordance
13 with NFPA 720;

14 (C) for the development and dissemination
15 of training materials, instructors, and any other
16 costs related to the training sessions authorized
17 by this subsection; or

18 (D) to educate the public about the risk as-
19 sociated with carbon monoxide as a poison and
20 the importance of proper carbon monoxide alarm
21 use.

22 (2) *LIMITATIONS.*—

23 (A) *ADMINISTRATIVE COSTS.*—Not more
24 than 5 percent of any grant amount received
25 under this section may be used to cover adminis-

1 *trative costs not directly related to training de-*
 2 *scribed in paragraph (1)(B).*

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

7 *(f) AUTHORIZATION OF APPROPRIATIONS.—*

8 *(1) IN GENERAL.—Subject to paragraph (2),*
 9 *there is authorized to be appropriated to the Commis-*
 10 *sion, for each of the fiscal years 2015 through 2019,*
 11 *\$2,000,000, which shall remain available until ex-*
 12 *pended to carry out this Act.*

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

18 *(3) RETENTION OF AMOUNTS.—Any amounts ap-*
 19 *propriated pursuant to this subsection that remain*
 20 *unexpended and unobligated on September 30, 2019,*
 21 *shall be retained by the Commission and credited to*
 22 *the appropriations account that funds the enforcement*
 23 *of the Consumer Product Safety Act (15 U.S.C. 2051).*

24 *(g) REPORT.—Not later than 1 year after the last day*
 25 *of each fiscal year for which grants are awarded under this*

- 1 *section, the Commission shall submit to Congress a report*
- 2 *that evaluates the implementation of the grant program re-*
- 3 *quired by this section.*

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A BILL

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

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