

Calendar No. 583113TH CONGRESS
2^D SESSION**S. 1793****[Report No. 113–269]**

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

DECEMBER 10, 2013

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

NOVEMBER 12, 2014

Reported by Mr. ROCKEFELLER, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]**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 2013”.

5 **SEC. 2. FINDINGS.**

6 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, in residen-
16 tial homes and other dwelling units kills more than
17 400 people each year and sends more than 20,000
18 to 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 (4) Congress should promote the purchase and
24 installation of carbon monoxide alarms in residential
25 homes and dwelling units nationwide in order to pro-

1 mote the health and public safety of citizens
2 throughout the Nation.

3 **SEC. 3. DEFINITIONS.**

4 In this Act:

5 (1) **CARBON MONOXIDE ALARM.**—The term
6 “carbon monoxide alarm” means a device that—

7 (A) detects carbon monoxide; and

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

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

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

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

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

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

1 human habitation, and includes a single family resi-
 2 dence as well as each living unit of a multiple family
 3 residence (including apartment buildings) and each
 4 living unit in a mixed use building.

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

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

20 (a) IN GENERAL.—Subject to the availability of ap-
 21 propriations authorized under subsection (f), the Commis-
 22 sion shall establish a grant program to provide assistance
 23 to eligible States and local governments to carry out the
 24 carbon monoxide poisoning prevention activities described
 25 in subsection (d).

1 (b) ELIGIBILITY.—To be eligible for a grant under
2 the program, a State or local government shall—

3 (1) demonstrate to the satisfaction of the Com-
4 mission that the State or local government has
5 adopted a statute, or the State or local government
6 agency has adopted a rule, regulation, or similar
7 measure with the force and effect of law, requiring
8 compliant carbon monoxide alarms to be installed in
9 dwelling units in accordance with NFPA 720; and

10 (2) submit an application to the Commission at
11 such time, in such form, and containing such addi-
12 tional information as the Commission may require,
13 which application may be filed on behalf of the State
14 or local government by the fire code enforcement of-
15 ficials for such State or local government.

16 (c) GRANT AMOUNT; PRIORITY.—The Commission
17 shall determine the amount of the grants awarded under
18 this section, and shall give priority to applications from
19 States or local governments that—

20 (1) prioritize the installation of compliant car-
21 bon monoxide alarms in existing dwelling units—

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

1 ~~(B)~~ which has an attached garage;

2 ~~(2)~~ have developed a strategy to protect vulner-
3 able populations such as children, the elderly, or
4 low-income households; and

5 ~~(3)~~ demonstrate greater than average losses of
6 life from carbon monoxide poisoning in the home.

7 ~~(d)~~ USE OF FUNDS.—A State receiving a grant under
8 this section may use grant funds—

9 ~~(1)~~ to purchase and install compliant carbon
10 monoxide alarms in the dwelling units of low-income
11 families or elderly persons, facilities that commonly
12 serve children or the elderly, including childcare fa-
13 cilities, public schools, and senior centers, or student
14 dwelling units owned by public universities;

15 ~~(2)~~ to train State or local fire code enforcement
16 officials in the proper enforcement of State or local
17 laws concerning compliant carbon monoxide alarms
18 and the installation of such alarms in accordance
19 with NFPA 720;

20 ~~(3)~~ for the development and dissemination of
21 training materials, instructors, and any other costs
22 related to the training sessions authorized by this
23 subsection; and

1 (4) to educate the public about the risk associ-
2 ated with carbon monoxide as a poison and the im-
3 portance of proper carbon monoxide alarm use.

4 (e) LIMITATION ON USE OF FUNDS.—

5 (1) ADMINISTRATIVE COSTS.—Not more than
6 10 percent of any grant funds received under this
7 section may be used to cover administrative costs
8 not directly related to training described in sub-
9 section (d)(2).

10 (2) PUBLIC OUTREACH.—Not more than 25
11 percent of any grant funds received under this sec-
12 tion may be used to cover costs of activities de-
13 scribed in subsection (d)(4).

14 (f) AUTHORIZATION OF APPROPRIATIONS.—

15 (1) IN GENERAL.—There is authorized to be
16 appropriated to the Commission, for each of the fis-
17 cal years 2013 through 2017, \$2,000,000, which
18 shall remain available until expended to carry out
19 this Act.

20 (2) RETENTION OF AMOUNTS.—Any amounts
21 appropriated pursuant to this subsection that re-
22 main unexpended and unobligated on September 30,
23 2016, shall be retained by the Commission and cred-
24 ited to the appropriations account that funds the en-

1 enforcement of the Consumer Product Safety Act (15
2 U.S.C. 2051).

3 ~~(g) COMMISSION REPORT.~~—Not later than 1 year
4 after the last day of each fiscal year for which grants are
5 awarded under this section, the Commission shall submit
6 to Congress a report that evaluates the implementation
7 of the grant program required by this section.

8 **SECTION 1. SHORT TITLE.**

9 *This Act may be cited as the “Nicholas and Zachary*
10 *Burt Memorial Carbon Monoxide Poisoning Prevention Act*
11 *of 2013”.*

12 **SEC. 2. FINDINGS.**

13 *Congress finds the following:*

14 *(1) Carbon monoxide is a colorless, odorless gas*
15 *produced by burning any fuel. Exposure to unhealthy*
16 *levels of carbon monoxide can lead to carbon mon-*
17 *oxide poisoning, a serious health condition that could*
18 *result in death.*

19 *(2) Unintentional carbon monoxide poisoning*
20 *from motor vehicles and the abnormal operation of*
21 *fuel-burning appliances, such as furnaces, water heat-*
22 *ers, portable generators, and stoves, kills more than*
23 *400 people each year and sends more than 20,000 to*
24 *hospital emergency rooms for treatment.*

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

5 (4) *Congress should promote the purchase and*
 6 *installation of carbon monoxide alarms in residential*
 7 *homes and dwelling units nationwide in order to pro-*
 8 *mote the health and public safety of citizens through-*
 9 *out the Nation.*

10 **SEC. 3. DEFINITIONS.**

11 *In this Act:*

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

15 (A) *detects carbon monoxide; and*

16 (B) *is intended to alarm at carbon mon-*
 17 *oxide concentrations below those that could cause*
 18 *a loss of ability to react to the dangers of carbon*
 19 *monoxide exposure.*

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

22 (3) *COMPLIANT CARBON MONOXIDE ALARM.—The*
 23 *term “compliant carbon monoxide alarm” means a*
 24 *carbon monoxide alarm that complies with the most*
 25 *current version of—*

1 (A) *the American National Standard for*
2 *Single and Multiple Station Carbon Monoxide*
3 *Alarms (ANSI/UL 2034); and*

4 (B) *the American National Standard for*
5 *Gas and Vapor Detectors and Sensors (ANSI/UL*
6 *2075).*

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

13 (5) *FIRE CODE ENFORCEMENT OFFICIALS.*—*The*
14 *term “fire code enforcement officials” means officials*
15 *of the fire safety code enforcement agency of a State*
16 *or local government.*

17 (6) *NFPA 720.*—*The term “NFPA 720”*
18 *means—*

19 (A) *the Standard for the Installation of*
20 *Carbon Monoxide Detection and Warning*
21 *Equipment issued by the National Fire Protec-*
22 *tion Association in 2012; and*

23 (B) *any amended or similar successor*
24 *standard pertaining to the proper installation of*
25 *carbon monoxide alarms in dwelling units.*

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

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

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

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

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

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

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 for the award of grants under this section,*
 5 *the Commission shall give favorable consideration to an eli-*
 6 *gible State that—*

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

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

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

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

21 (e) *USE OF GRANT FUNDS.*—

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

24 (A) *to purchase and install compliant car-*
 25 *bon monoxide alarms in the dwelling units of*

1 *low-income families or elderly persons, facilities*
2 *that commonly serve children or the elderly, in-*
3 *cluding childcare facilities, public schools, and*
4 *senior centers, or student dwelling units owned*
5 *by public universities;*

6 *(B) to train State or local fire code enforce-*
7 *ment officials in the proper enforcement of State*
8 *or local laws concerning compliant carbon mon-*
9 *oxide alarms and the installation of such alarms*
10 *in accordance with NFPA 720;*

11 *(C) for the development and dissemination*
12 *of training materials, instructors, and any other*
13 *costs related to the training sessions authorized*
14 *by this subsection; and*

15 *(D) to educate the public about the risk as-*
16 *sociated with carbon monoxide as a poison and*
17 *the importance of proper carbon monoxide alarm*
18 *use.*

19 (2) *LIMITATIONS.—*

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

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

5 (f) *AUTHORIZATION OF APPROPRIATIONS.*—

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

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

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

22 (g) *REPORT.*—Not later than 1 year after the last day
23 of each fiscal year for which grants are awarded under this
24 section, the Commission shall submit to Congress a report

- 1 *that evaluates the implementation of the grant program re-*
- 2 *quired by this section.*

Calendar No. 583

113TH CONGRESS
2^D SESSION

S. 1793

[Report No. 113-269]

A BILL

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

NOVEMBER 12, 2014

Reported with an amendment