

117TH CONGRESS
2D SESSION

S. 4442

To require qualifying smoke alarms in certain federally assisted housing,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 22, 2022

Mr. CASEY introduced the following bill; which was read twice and referred
to the Committee on Banking, Housing, and Urban Affairs

A BILL

To require qualifying smoke alarms in certain federally
assisted housing, 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 “Public and Federally
5 Assisted Housing Fire Safety Act of 2022”.

6 **SEC. 2. SMOKE ALARMS IN FEDERALLY ASSISTED HOUSING.**

7 (a) PUBLIC HOUSING, TENANT-BASED ASSISTANCE,
8 AND PROJECT-BASED ASSISTANCE.—The United States
9 Housing Act of 1937 (42 U.S.C. 1437 et seq.) is amend-
10 ed—

(1) in section 3(a) (42 U.S.C. 1437a(a)), by adding at the end the following:

“(9) QUALIFYING SMOKE ALARMS.—

“(A) IN GENERAL.—Each public housing agency shall ensure that a qualifying smoke alarm is installed in accordance with applicable codes and standards published by the International Code Council or the National Fire Protection Association and the requirements of the National Fire Protection Association Standard 72, or any successor standard, in each level and in or near each sleeping area in any dwelling unit in public housing owned or operated by the public housing agency, including in basements but excepting crawl spaces and unfinished attics, and in each common area in a project containing such a dwelling unit.

“(B) DEFINITIONS.—For purposes of this paragraph, the following definitions shall apply:

“(i) SMOKE ALARM DEFINED.—The term ‘smoke alarm’ has the meaning given the term ‘smoke detector’ in section 29(d) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2225(d)).

“(ii) QUALIFYING SMOKE ALARM DEFINED.—The term ‘qualifying smoke alarm’ means a smoke alarm that—

“(I) in the case of a dwelling unit built before the date of enactment of this paragraph and not substantially rehabilitated after the date of enactment of this paragraph is—

“(aa) hardwired; or

“(bb) uses 10-year non-rechargeable, nonreplaceable primary batteries and—

“(AA) is sealed;

“(BB) is tamper resistant;

“(CC) contains silencing means; and

“(DD) provides notification for persons with hearing loss as required by the National Fire Protection Association Standard 72, or any successor standard; or

“(II) in the case of a dwelling unit built or substantially rehabili-

1 tated after the date of enactment of
2 this paragraph, is hardwired.”; and

3 (2) in section 8 (42 U.S.C. 1437f)—

4 (A) by inserting after subsection (k) the
5 following:

6 “(1) QUALIFYING SMOKE ALARMS.—

7 “(1) IN GENERAL.—Each owner of a dwelling
8 unit receiving project-based assistance under this
9 section shall ensure that qualifying smoke alarms
10 are installed in accordance with applicable codes and
11 standards published by the International Code Coun-
12 cil or the National Fire Protection Association and
13 the requirements of the National Fire Protection As-
14 sociation Standard 72, or any successor standard, in
15 each level and in or near each sleeping area in such
16 dwelling unit, including in basements but excepting
17 crawl spaces and unfinished attics, and in each com-
18 mon area in a project containing such a dwelling
19 unit.

20 “(2) DEFINITIONS.—For purposes of this sub-
21 section, the following definitions shall apply:

22 “(A) SMOKE ALARM DEFINED.—The term
23 ‘smoke alarm’ has the meaning given the term
24 ‘smoke detector’ in section 29(d) of the Federal

1 Fire Prevention and Control Act of 1974 (15
2 U.S.C. 2225(d)).

3 “(B) QUALIFYING SMOKE ALARM DE-
4 FINED.—The term ‘qualifying smoke alarm’
5 means a smoke alarm that—

6 “(i) in the case of a dwelling unit
7 built before the date of enactment of this
8 paragraph and not substantially rehabili-
9 tated after the date of enactment of this
10 paragraph is—

11 “(I) hardwired; or

12 “(II) uses 10-year nonrecharge-
13 able, nonreplaceable primary batteries
14 and—

15 “(aa) is sealed;

16 “(bb) is tamper resistant;

17 “(cc) contains silencing
18 means; and

19 “(dd) provides notification
20 for persons with hearing loss as
21 required by the National Fire
22 Protection Association Standard
23 72, or any successor standard; or

24 “(ii) in the case of a dwelling unit
25 built or substantially rehabilitated after the

1 date of enactment of this paragraph, is
2 hardwired.”; and

3 (B) in subsection (o), by adding at the end
4 the following:

5 “(22) QUALIFYING SMOKE ALARMS.—

6 “(A) IN GENERAL.—Each dwelling unit re-
7 ceiving tenant-based assistance or project-based
8 assistance under this subsection shall have a
9 qualifying smoke alarm installed in accordance
10 with applicable codes and standards published
11 by the International Code Council or the Na-
12 tional Fire Protection Association and the re-
13 quirements of the National Fire Protection As-
14 sociation Standard 72, or any successor stand-
15 ard, in each level and in or near each sleeping
16 area in such dwelling unit, including in base-
17 ments but excepting crawl spaces and unfin-
18 ished attics, and in each common area in a
19 project containing such a dwelling unit.

20 “(B) DEFINITIONS.—For purposes of this
21 paragraph, the following definitions shall apply:

22 “(i) SMOKE ALARM DEFINED.—The
23 term ‘smoke alarm’ has the meaning given
24 the term ‘smoke detector’ in section 29(d)

of the Federal Fire Prevention and Control
Act of 1974 (15 U.S.C. 2225(d)).

“(ii) QUALIFYING SMOKE ALARM DEFINED.—The term ‘qualifying smoke alarm’ means a smoke alarm that—

“(I) in the case of a dwelling unit built before the date of enactment of this paragraph and not substantially rehabilitated after the date of enactment of this paragraph is—

“(aa) hardwired; or

“(bb) uses 10-year non-rechargeable, nonreplaceable primary batteries and—

“(AA) is sealed;

“(BB) is tamper resistant;

“(CC) contains silencing means; and

“(DD) provides notification for persons with hearing loss as required by the National Fire Protection Association Standard 72, or any successor standard; or

1 “(II) in the case of a dwelling
 2 unit built or substantially rehabili-
 3 tated after the date of enactment of
 4 this paragraph, is hardwired.”.

5 (b) SUPPORTIVE HOUSING FOR THE ELDERLY.—
 6 Section 202(j) of the Housing Act of 1959 (12 U.S.C.
 7 1701q(j)) is amended by adding at the end the following:

8 “(10) QUALIFYING SMOKE ALARMS.—

9 “(A) IN GENERAL.—Each owner of a
 10 dwelling unit assisted under this section shall
 11 ensure that qualifying smoke alarms are in-
 12 stalled in accordance with the requirements of
 13 applicable codes and standards and the Na-
 14 tional Fire Protection Association Standard 72,
 15 or any successor standard, in each level and in
 16 or near each sleeping area in such dwelling
 17 unit, including in basements but excepting
 18 crawl spaces and unfinished attics, and in each
 19 common area in a project containing such a
 20 dwelling unit.

21 “(B) DEFINITIONS.—For purposes of this
 22 paragraph, the following definitions shall apply:

23 “(i) SMOKE ALARM DEFINED.—The
 24 term ‘smoke alarm’ has the meaning given
 25 the term ‘smoke detector’ in section 29(d)

of the Federal Fire Prevention and Control
Act of 1974 (15 U.S.C. 2225(d)).

“(ii) QUALIFYING SMOKE ALARM DEFINED.—The term ‘qualifying smoke alarm’ means a smoke alarm that—

“(I) in the case of a dwelling unit built before the date of enactment of this paragraph and not substantially rehabilitated after the date of enactment of this paragraph is—

“(aa) hardwired; or

“(bb) uses 10-year non-rechargeable, nonreplaceable primary batteries and—

“(AA) is sealed;

“(BB) is tamper resistant;

“(CC) contains silencing means; and

“(DD) provides notification for persons with hearing loss as required by the National Fire Protection Association Standard 72, or any successor standard; or

1 “(II) in the case of a dwelling
 2 unit built or substantially rehabili-
 3 tated after the date of enactment of
 4 this paragraph, is hardwired.”.

5 (c) SUPPORTIVE HOUSING FOR PERSONS WITH DIS-
 6 ABILITIES.—Section 811(j) of the Cranston-Gonzalez Na-
 7 tional Affordable Housing Act (42 U.S.C. 8013(j)) is
 8 amended by adding at the end the following:

9 “(8) QUALIFYING SMOKE ALARMS.—

10 “(A) IN GENERAL.—Each dwelling unit as-
 11 sisted under this section shall contain qualifying
 12 smoke alarms that are installed in accordance
 13 with applicable codes and standards published
 14 by the International Code Council or the Na-
 15 tional Fire Protection Association and the re-
 16 quirements of the National Fire Protection As-
 17 sociation Standard 72, or any successor stand-
 18 ard, in each level and in or near each sleeping
 19 area in such dwelling unit, including in base-
 20 ments but excepting crawl spaces and unfin-
 21 ished attics, and in each common area in a
 22 project containing such a dwelling unit.

23 “(B) DEFINITIONS.—For purposes of this
 24 paragraph, the following definitions shall apply:

1 “(i) SMOKE ALARM DEFINED.—The
 2 term ‘smoke alarm’ has the meaning given
 3 the term ‘smoke detector’ in section 29(d)
 4 of the Federal Fire Prevention and Control
 5 Act of 1974 (15 U.S.C. 2225(d)).

6 “(ii) QUALIFYING SMOKE ALARM DE-
 7 FINED.—The term ‘qualifying smoke
 8 alarm’ means a smoke alarm that—

9 “(I) in the case of a dwelling unit
 10 built before the date of enactment of
 11 this paragraph and not substantially
 12 rehabilitated after the date of enact-
 13 ment of this paragraph is—

14 “(aa) hardwired; or

15 “(bb) uses 10-year non-
 16 rechargeable, nonreplaceable pri-
 17 mary batteries and—

18 “(AA) is sealed;

19 “(BB) is tamper resist-
 20 ant;

21 “(CC) contains silenc-
 22 ing means; and

23 “(DD) provides notifi-
 24 cation for persons with hear-
 25 ing loss as required by the

1 National Fire Protection As-
 2 sociation Standard 72, or
 3 any successor standard; or

4 “(II) in the case of a dwelling
 5 unit built or substantially rehabili-
 6 tated after the date of enactment of
 7 this paragraph, is hardwired.”.

8 (d) HOUSING OPPORTUNITIES FOR PERSONS WITH
 9 AIDS.—Section 856 of the Cranston-Gonzalez National
 10 Affordable Housing Act (42 U.S.C. 12905) is amended by
 11 adding at the end the following new subsection:

12 “(j) QUALIFYING SMOKE ALARMS.—

13 “(1) IN GENERAL.—Each dwelling unit assisted
 14 under this subtitle shall contain qualifying smoke
 15 alarms that are installed in accordance with applica-
 16 ble codes and standards published by the Inter-
 17 national Code Council or the National Fire Protec-
 18 tion Association and the requirements of the Na-
 19 tional Fire Protection Association Standard 72, or
 20 any successor standard, in each level and in or near
 21 each sleeping area in such dwelling unit, including in
 22 basements but excepting crawl spaces and unfinished
 23 attics, and in each common area in a project con-
 24 taining such a dwelling unit.

1 “(2) DEFINITIONS.—For purposes of this sub-
2 section, the following definitions shall apply:

3 “(A) SMOKE ALARM DEFINED.—The term
4 ‘smoke alarm’ has the meaning given the term
5 ‘smoke detector’ in section 29(d) of the Federal
6 Fire Prevention and Control Act of 1974 (15
7 U.S.C. 2225(d)).

8 “(B) QUALIFYING SMOKE ALARM DE-
9 FINED.—The term ‘qualifying smoke alarm’
10 means a smoke alarm that—

11 “(i) in the case of a dwelling unit
12 built before the date of enactment of this
13 subsection and not substantially rehabili-
14 tated after the date of enactment of this
15 subsection is—

16 “(I) hardwired; or

17 “(II) uses 10-year nonrecharge-
18 able, nonreplaceable primary batteries
19 and—

20 “(aa) is sealed;

21 “(bb) is tamper resistant;

22 “(cc) contains silencing
23 means; and

24 “(dd) provides notification
25 for persons with hearing loss as

1 required by the National Fire
 2 Protection Association Standard
 3 72, or any successor standard; or
 4 “(ii) in the case of a dwelling unit
 5 built or substantially rehabilitated after the
 6 date of enactment of this subsection, is
 7 hardwired.”.

8 (e) RURAL HOUSING.—Title V of the Housing Act
 9 of 1949 (42 U.S.C. 1471 et seq.) is amended—

10 (1) in section 514 (42 U.S.C. 1484), by adding
 11 at the end the following:

12 “(k) QUALIFYING SMOKE ALARMS.—

13 “(1) IN GENERAL.—Housing and related facili-
 14 ties constructed with loans under this section shall
 15 contain qualifying smoke alarms that are installed in
 16 accordance with applicable codes and standards pub-
 17 lished by the International Code Council or the Na-
 18 tional Fire Protection Association and the require-
 19 ments of the National Fire Protection Association
 20 Standard 72, or any successor standard, in each
 21 level and in or near each sleeping area in such dwell-
 22 ing unit, including in basements but excepting crawl
 23 spaces and unfinished attics, and in each common
 24 area in a project containing such a dwelling unit.

1 “(2) DEFINITIONS.—For purposes of this sub-
2 section, the following definitions shall apply:

3 “(A) SMOKE ALARM DEFINED.—The term
4 ‘smoke alarm’ has the meaning given the term
5 ‘smoke detector’ in section 29(d) of the Federal
6 Fire Prevention and Control Act of 1974 (15
7 U.S.C. 2225(d)).

8 “(B) QUALIFYING SMOKE ALARM DE-
9 FINED.—The term ‘qualifying smoke alarm’
10 means a smoke alarm that—

11 “(i) in the case of a dwelling unit
12 built before the date of enactment of this
13 subsection and not substantially rehabili-
14 tated after the date enactment of this sub-
15 section is—

16 “(I) hardwired; or

17 “(II) uses 10-year nonrecharge-
18 able, nonreplaceable primary batteries
19 and—

20 “(aa) is sealed;

21 “(bb) is tamper resistant;

22 “(cc) contains silencing
23 means; and

24 “(dd) provides notification
25 for persons with hearing loss as

1 required by the National Fire
2 Protection Association Standard
3 72, or any successor standard; or
4 “(ii) in the case of a dwelling unit
5 built or substantially rehabilitated after the
6 date of enactment of this subsection, is
7 hardwired.”; and

8 (2) in section 515(m) (42 U.S.C. 1485(m)) by
9 adding at the end the following:

10 “(3) QUALIFYING SMOKE ALARMS.—

11 “(A) IN GENERAL.—Housing and related facili-
12 ties rehabilitated or repaired with amounts received
13 under a loan made or insured under this section
14 shall contain qualifying smoke alarms that are in-
15 stalled in accordance with applicable codes and
16 standards published by the International Code Coun-
17 cil or the National Fire Protection Association and
18 the requirements of the National Fire Protection As-
19 sociation Standard 72, or any successor standard, in
20 each level and in or near each sleeping area in such
21 dwelling unit, including in basements but excepting
22 crawl spaces and unfinished attics, and in each com-
23 mon area in a project containing such a dwelling
24 unit.

1 “(B) DEFINITIONS.—For purposes of this para-
2 graph, the following definitions shall apply:

3 “(i) SMOKE ALARM DEFINED.—The term
4 ‘smoke alarm’ has the meaning given the term
5 ‘smoke detector’ in section 29(d) of the Federal
6 Fire Prevention and Control Act of 1974 (15
7 U.S.C. 2225(d)).

8 “(ii) QUALIFYING SMOKE ALARM DE-
9 FINED.—The term ‘qualifying smoke alarm’
10 means a smoke alarm that—

11 “(I) in the case of a dwelling unit
12 built before the date of enactment of this
13 paragraph and not substantially rehabili-
14 tated after the date of enactment of this
15 paragraph is—

16 “(aa) hardwired; or

17 “(bb) uses 10-year nonrecharge-
18 able, nonreplaceable primary batteries
19 and—

20 “(AA) is sealed;

21 “(BB) is tamper resistant;

22 “(CC) contains silencing
23 means; and

24 “(DD) provides notification
25 for persons with hearing loss as

1 required by the National Fire
 2 Protection Association Standard
 3 72, or any successor standard; or
 4 “(II) in the case of a dwelling unit
 5 built or substantially rehabilitated after the
 6 date of enactment of this paragraph, is
 7 hardwired.”.

8 (f) FARM LABOR HOUSING DIRECT LOANS &
 9 GRANTS.—Section 516 of the Housing Act of 1949 (42
 10 U.S.C. 1486) is amended—

11 (1) in subsection (c)—

12 (A) in paragraph (2), by striking “and” at
 13 the end;

14 (B) in paragraph (3), by striking the pe-
 15 riod at the end and inserting “; and”; and

16 (C) by adding at the end the following:

17 “(4) that such housing shall contain qualifying
 18 smoke alarms that are installed in accordance with
 19 applicable codes and standards published by the
 20 International Code Council or the National Fire
 21 Protection Association and the requirements of the
 22 National Fire Protection Association Standard 72,
 23 or any successor standard, in each level and in or
 24 near each sleeping area in such dwelling unit, in-
 25 cluding in basements but excepting crawl spaces and

1 unfinished attics, and in each common area in a
2 project containing such a dwelling unit.”; and

3 (2) in subsection (g)—

4 (A) in paragraph (3) by striking “and” at
5 the end;

6 (B) in paragraph (4), by striking the pe-
7 riod at the end and inserting a semicolon; and

8 (C) by adding at the end the following:

9 “(4) the term ‘smoke alarm’ has the meaning
10 given the term ‘smoke detector’ in section 29(d) of
11 the Federal Fire Prevention and Control Act of
12 1974 (15 U.S.C. 2225(d)); and

13 “(5) the term ‘qualifying smoke alarm’ means
14 a smoke alarm that—

15 “(A) in the case of a dwelling unit built be-
16 fore the date of enactment of this paragraph
17 and not substantially rehabilitated after the
18 date of enactment of this paragraph is—

19 “(i) hardwired; or

20 “(ii) uses 10-year non rechargeable,
21 nonreplaceable primary batteries and—

22 “(I) is sealed;

23 “(II) is tamper resistant;

24 “(III) contains silencing means;

25 and

1 “(IV) provides notification for
2 persons with hearing loss as required
3 by the National Fire Protection Asso-
4 ciation Standard 72, or any successor
5 standard; or

6 “(B) in the case of a dwelling unit built or
7 substantially rehabilitated after the date of en-
8 actment of this paragraph, is hardwired.”.

9 (g) AUTHORIZATION OF APPROPRIATIONS.—There is
10 authorized to be appropriated to carry out the amend-
11 ments made by this section such sums as are necessary
12 for each of fiscal years 2023 through 2027.

13 (h) EFFECTIVE DATE.—The amendments made by
14 subsections (a) through (f) shall take effect on the date
15 that is 2 years after the date of enactment of this Act.

16 (i) NO PREEMPTION.—Nothing in the amendments
17 made by this section shall be construed to preempt or limit
18 the applicability of any State or local law relating to the
19 installation and maintenance of smoke alarms in housing
20 that requires standards that are more stringent than the
21 standards described in the amendments made by this sec-
22 tion.

23 **SEC. 3. FIRE SAFETY EDUCATIONAL PROGRAM.**

24 (a) IN GENERAL.—The Secretary of Housing and
25 Urban Development shall, not later than 1 year after the

1 date of enactment of this Act, complete a national edu-
2 cational campaign that educates the general public about
3 health and safety requirements in housing and how to
4 properly use safety features in housing, including self-clos-
5 ing doors, smoke alarms, and carbon monoxide detectors.

6 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
7 authorized to be appropriated to the Secretary of Housing
8 and Urban Development to carry out this section,
9 \$2,000,000 for fiscal year 2023.

○