

114TH CONGRESS
2D SESSION

H. R. 4701

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

IN THE HOUSE OF REPRESENTATIVES

MARCH 3, 2016

Ms. KUSTER (for herself, Mr. LANCE, Mr. PAULSEN, Mr. BUTTERFIELD, and Mr. HARPER) 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

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 2016”.

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

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

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

6 (2) Unintentional carbon monoxide poisoning
7 from motor vehicles and the abnormal operation of
8 fuel-burning appliances, such as furnaces, water
9 heaters, portable generators, and stoves, kills more
10 than 400 people each year and sends more than
11 15,000 to hospital emergency rooms for treatment.

12 (3) Research shows that purchasing and install-
13 ing carbon monoxide alarms close to the sleeping
14 areas in residential homes and other dwelling units
15 can help avoid fatalities.

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

22 **SEC. 3. DEFINITIONS.**

23 In this Act:

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

4 (A) detects carbon monoxide; and

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

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

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

15 (A) the American National Standard for
16 Single and Multiple Station Carbon Monoxide
17 Alarms (ANSI/UL 2034); and

18 (B) the American National Standard for
19 Gas and Vapor Detectors and Sensors (ANSI/
20 UL 2075).

21 (4) DWELLING UNIT.—The term “dwelling
22 unit” means a room or suite of rooms used for
23 human habitation, and includes a single-family resi-
24 dence as well as each living unit of a multiple-family

1 residence (including apartment buildings) and each
 2 living unit in a mixed-use building.

3 (5) FIRE CODE ENFORCEMENT OFFICIALS.—

4 The term “fire code enforcement officials” means of-
 5 ficials of the fire safety code enforcement agency of
 6 a State or local government.

7 (6) NFPA 720.—The term “NFPA 720”
 8 means—

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

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

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

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

23 (a) IN GENERAL.—Subject to the availability of ap-
 24 propriations authorized under subsection (f), the Commis-
 25 sion shall establish a grant program to provide assistance

1 to eligible States to carry out the carbon monoxide poi-
2 soning prevention activities described in subsection (e).

3 (b) ELIGIBILITY.—For purposes of this section, an
4 eligible State is any State that—

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

11 (2) submits an application to the Commission
12 at such time, in such form, and containing such ad-
13 ditional information as the Commission may require,
14 which application may be filed on behalf of the State
15 by the fire code enforcement officials for such State.

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

18 (d) SELECTION OF GRANT RECIPIENTS.—In select-
19 ing eligible States for the award of grants under this sec-
20 tion, the Commission shall give favorable consideration to
21 an eligible State that—

22 (1) requires the installation of compliant carbon
23 monoxide alarms in new or existing educational fa-
24 cilities, childcare facilities, health care facilities,
25 adult dependent care facilities, government build-

ings, 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, appli-
ance, or device that burns fuel; or

(B) which has an attached garage; and

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

(e) 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 car-
bon monoxide alarms in the dwelling units of
low-income families or elderly persons, facilities
that commonly serve children or the elderly, in-
cluding childcare facilities, public schools, and
senior centers, or student dwelling units owned
by public universities;

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

1 (C) for the development and dissemination
2 of training materials, instructors, and any other
3 costs related to the training sessions authorized
4 by this subsection; and

5 (D) to educate the public about the risk
6 associated with carbon monoxide as a poison
7 and the importance of proper carbon monoxide
8 alarm use.

9 (2) LIMITATIONS.—

10 (A) ADMINISTRATIVE COSTS.—Not more
11 than 10 percent of any grant amount received
12 under this section may be used to cover admin-
13 istrative costs not directly related to training
14 described in paragraph (1)(B).

15 (B) PUBLIC OUTREACH.—Not more than
16 25 percent of any grant amount received under
17 this section may be used to cover costs of activi-
18 ties described in paragraph (1)(D).

19 (f) AUTHORIZATION OF APPROPRIATIONS.—

20 (1) IN GENERAL.—Subject to paragraph (2),
21 there is authorized to be appropriated to the Com-
22 mission, for each of the fiscal years 2016 through
23 2020, \$2,000,000, which shall remain available until
24 expended to carry out this Act.

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

6 (3) RETENTION OF AMOUNTS.—Any amounts
7 appropriated pursuant to this subsection that re-
8 main unexpended and unobligated on September 30,
9 2020, shall be retained by the Commission and cred-
10 ited to the appropriations account that funds the en-
11 forcement of the Consumer Product Safety Act (15
12 U.S.C. 2051).

13 (4) OFFSET.—There is authorized to be appro-
14 priated to the Government Publishing Office for
15 each of fiscal years 2017 through 2021 the amount
16 that is \$2,000,000 less than the amount appro-
17 priated for such Office for fiscal year 2016.

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.

○