



(Original Signature of Member)

117TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

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

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IN THE HOUSE OF REPRESENTATIVES

Ms. KUSTER of New Hampshire introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**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 2021”.

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  
3           unhealthy levels of carbon monoxide can lead to car-  
4           bon monoxide poisoning, a serious health condition  
5           that could result in death.

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

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

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

23          **SEC. 3. DEFINITIONS.**

24          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 sound an alarm at a  
6 carbon monoxide concentration below a con-  
7 centration that could cause a loss of the ability  
8 to react to the dangers of carbon monoxide ex-  
9 posure.

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

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

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

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

1           (4) DWELLING UNIT.—The term “dwelling  
2           unit”—

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

5                   (B) includes—

6                           (i) a single family residence;

7                           (ii) each living unit of a multiple fam-  
8                           ily residence, including an apartment build-  
9                           ing; and

10                           (iii) each living unit in a mixed use  
11                           building.

12           (5) FIRE CODE ENFORCEMENT OFFICIALS.—

13           The term “fire code enforcement officials” means of-  
14           ficials of the fire safety code enforcement agency of  
15           a State or local government or a Tribal organization.

16           (6) INTERNATIONAL FIRE CODE.—The term  
17           “IFC” means—

18                   (A) the 2015 or 2018 edition of the Inter-  
19                   national Fire Code published by the Inter-  
20                   national Code Council; or

21                   (B) any amended or similar successor code  
22                   pertaining to the proper installation of carbon  
23                   monoxide alarms in dwelling units.

24           (7) INTERNATIONAL RESIDENTIAL CODE.—The  
25           term “IRC” means—

1 (A) the 2015 or 2018 edition of the Inter-  
2 national Residential Code published by the  
3 International Code Council; or

4 (B) any amended or similar successor code  
5 pertaining to the proper installation of carbon  
6 monoxide alarms in dwelling units.

7 (8) 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 relating to the proper installation of  
15 carbon monoxide alarms in dwelling units.

16 (9) STATE.—The term “State”—

17 (A) has the meaning given the term in sec-  
18 tion 3(a) of the Consumer Product Safety Act  
19 (15 U.S.C. 2052(a)); and

20 (B) includes—

21 (i) the Commonwealth of the North-  
22 ern Mariana Islands; and

23 (ii) any political subdivision of a  
24 State.

1           (10) TRIBAL ORGANIZATION.—The term “Trib-  
2           al organization” has the meaning given the term in  
3           section 4(l) of the Indian Self-Determination and  
4           Education Assistance Act (25 U.S.C. 5304(l)).

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

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

13          (b) ELIGIBILITY.—For the purposes of this section,  
14          an eligible State or Tribal organization is any State or  
15          Tribal organization that—

16                 (1) demonstrates to the satisfaction of the  
17                 Commission that the State or Tribal organization  
18                 has adopted a statute or a rule, regulation, or simi-  
19                 lar measure with the force and effect of law, requir-  
20                 ing compliant carbon monoxide alarms to be in-  
21                 stalled in dwelling units in accordance with NFPA  
22                 72, the IFC, or the IRC; and

23                 (2) submits an application—

1 (A) to the Commission at such time, in  
2 such form, and containing such additional in-  
3 formation as the Commission may require; and

4 (B) that may be filed on behalf of the  
5 State or Tribal organization by the fire safety  
6 code enforcement agency of that State or Tribal  
7 organization.

8 (c) GRANT AMOUNT.—The Commission shall deter-  
9 mine the amount of each grant awarded under this sec-  
10 tion.

11 (d) SELECTION OF GRANT RECIPIENTS.—In select-  
12 ing eligible States and Tribal organizations for the award  
13 of grants under this section, the Commission shall give  
14 favorable consideration to an eligible State or Tribal orga-  
15 nization that demonstrates a reasonable need for funding  
16 under this section and that—

17 (1) requires the installation of a one or more  
18 compliant carbon monoxide alarms in a new or exist-  
19 ing educational facility, childcare facility, health care  
20 facility, adult dependent care facility, government  
21 building, restaurant, theater, lodging establishment,  
22 or dwelling unit—

23 (A) within which a fuel-burning appliance,  
24 including a furnace, boiler, water heater, fire-

1 place, or any other apparatus, appliance, or de-  
2 vice that burns fuel, is installed; or

3 (B) that has an attached garage; and

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

8 (e) USE OF GRANT FUNDS.—

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

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

18 (B) for the development and dissemination  
19 of training materials, instructors, and any other  
20 costs relating to the training sessions author-  
21 ized under this subsection; or

22 (C) to educate the public about—

23 (i) the risk associated with carbon  
24 monoxide as a poison; and



1 (ii) the importance of proper carbon  
2 monoxide alarm use.

3 (2) LIMITATIONS.—

4 (A) ADMINISTRATIVE COSTS.—An eligible  
5 State or Tribal organization to which a grant is  
6 awarded under this section may use not more  
7 than 5 percent of the grant amount to cover ad-  
8 ministrative costs that are not directly related  
9 to training described in paragraph (1)(B).

10 (B) PUBLIC OUTREACH.—An eligible State  
11 or Tribal organization to which a grant is  
12 awarded under this section may use not more  
13 than 25 percent of the grant amount to cover  
14 the costs of activities described in paragraph  
15 (1)(D).

16 (C) STATE CONTRIBUTIONS.—An eligible  
17 State to which a grant is awarded under this  
18 section shall, with respect to the costs incurred  
19 by the State in carrying out activities under the  
20 grant, provide non-Federal contributions in an  
21 amount equal to not less than 25 percent of  
22 amount of Federal funds provided under the  
23 grant to administer the program. This subpara-  
24 graph shall not apply to Tribal organizations.

25 (f) FUNDING.—

1           (1) IN GENERAL.—The Commission shall carry  
2 out this Act using amounts appropriated to the  
3 Commission for each of fiscal years 2021 through  
4 2025, to extent such funds are available.

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

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