Suspend the Rules and Pass the Bill, H. R. 1690, With an Amendment
(The amendment strikes all after the enacting clause and inserts a complete substitute text)

116TH CONGRESS
1ST SESSION

H. R. 1690

To require carbon monoxide alarms or detectors in certain federally assisted housing, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 12, 2019

Mr. García of Illinois (for himself, Mr. Cunningham, Ms. Moore, Ms. Clarke of New York, Ms. Velázquez, Mr. Sean Patrick Maloney of New York, Mr. Clay, Ms. Tlaib, Mr. Clyburn, Ms. Fudge, Mr. Cohen, and Mr. Rose of New York) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To require carbon monoxide alarms or detectors in certain federally assisted housing, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Safe Housing for Families Act of 2019”.

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SEC. 2. CARBON MONOXIDE DETECTORS.

(a) PLAN.—Each owner of a covered federally assisted rental dwelling unit, excluding owners of units assisted under the program specified in subsection (e)(3)(A)(ii)(II), shall, not later than 90 days after the date of the enactment of this Act, establish a plan to ensure that a carbon monoxide detector is installed and maintained, in accordance with standards and criteria established by the Secretary in consultation with the Consumer Product Safety Commission—

(1) on each level of such dwelling unit owned by such owner; and

(2) in any room of such dwelling unit, or of any structure containing such dwelling unit, in which there is a combustion-based appliance.

(b) INSTALLATION AND MAINTENANCE.—

(1) IN GENERAL.—Each owner of a covered federally assisted rental dwelling unit shall ensure that, at all times pursuant to paragraph (2), such carbon monoxide detectors are installed and maintained, in accordance with standards and criteria published by the Department of Housing and Urban Development, as provided in paragraphs (1) and (2) of subsection (a).

(2) APPLICATION.—Paragraph (1) shall apply only after the expiration of the 2-year period begin-
ning upon the date on which $100,000,000 is appro-
priated to carry out this Act for each of fiscal years
2020, 2021, and 2022 pursuant to subsection (e)(1).

(c) REPORT.—Not later than one year after the date of the enactment of this Act, and each year thereafter, the Secretary shall submit a report to the Congress that—
   (1) describes the status of the implementation of subsection (a), and includes—
      (A) the number of covered federally assisted dwelling units without a carbon monoxide detector pursuant to subsection (b);
      (B) the number of carbon monoxide detectors that have been installed by owners of covered federally assisted dwelling units; and
      (C) the number of fatalities that occurred due to carbon monoxide poisoning in covered dwelling units and whether a carbon monoxide detector was present in such dwelling unit; and
   (2) discloses the results of data collection instituted by the Secretary of Housing and Urban Development before the date of the enactment of this Act to determine the prevalence of carbon monoxide detection systems in covered federally assisted dwelling units.
(d) RELATION TO STATE AND LOCAL LAW.—This section does not annul, alter, or affect, or exempt any person subject to the provisions of this section from complying with, the laws of any State or locality with respect to installing or maintaining carbon monoxide detectors, except to the extent that those laws are inconsistent with any provision of this section, and then only to the extent of the inconsistency. The Secretary is authorized to determine whether such inconsistencies exist and may not determine that any State or local law is inconsistent with any provision of this section if the Secretary determines that such law provides for greater protection or safety.

(e) DEFINITIONS.—For the purposes of this Act:

(1) ASSISTANCE.—The term “assistance” means any grant, loan, subsidy, contract, cooperative agreement, or other form of financial assistance, but such term does not include the insurance or guarantee of a loan, mortgage, or pool of loans or mortgages.

(2) CARBON MONOXIDE DETECTOR.—The term “carbon monoxide detector” means an electronic device that measures the level of carbon monoxide gas in the air and is equipped with a sensor, which activates an audible alarm when an amount of carbon monoxide above the device’s threshold level accumu-
lates in the area in which the alarm is located. Such
detectors shall include (A) a combination smoke and
carbon monoxide detector, and (B) detectors that
adequately serve the needs of persons with hearing
impairments.

(3) Covered Federally Assisted Rental
Dwelling Unit.—The term “covered federally as-
sisted rental dwelling unit” means a residential
dwelling unit that—

(A) is made available for rental and for
which assistance is provided, or that is part of
a housing project for which assistance is pro-
vided, under—

(i) the public housing program under
the United States Housing Act of 1937
(42 U.S.C. 1437 et seq.);

(ii) the programs for rental assistance
under section 8 of the United States Hous-
ing Act of 1937 (42 U.S.C. 1437f), includ-
ing—

(I) the program for project-based
rental assistance; and

(II) the program for tenant-based
rental assistance;
(iii) the AIDS Housing Opportunities program under subtitle D of title VIII of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12901 et seq.);

(iv) the program for supportive housing for the elderly under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q); or

(v) the program for supportive housing for persons with disabilities under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013); and

(B) either—

(i) contains a fuel-burning appliance, fuel-burning fireplace, or has an attached garage; or

(ii) is served by a ventilation system that also services any part of the structure containing such dwelling unit that has a fuel-burning appliance, fuel-burning fireplace, or attached garage.

(4) OWNER.—The term “owner” means, with respect to a covered federally assisted rental dwelling unit, any private person or entity, including a coop-
erative, an agency of the Federal Government, or a
public housing agency, having the legal right to lease
or sublease dwelling units.

(5) SECRETARY.—The term “Secretary” means
the Secretary of Housing and Urban Development.

(f) FUNDING FOR INSTALLATION AND MAINTENANCE.—

(1) AUTHORIZATION OF APPROPRIATIONS.—
There is authorized to be appropriated to carry out
this Act, $100,000,000 for each of fiscal years 2020,
2021, and 2022.

(2) DISTRIBUTION OF FUNDS.—

(A) TIMING.—The Secretary shall allocate
and distribute to owners of covered federally as-
sisted rental dwelling units any amounts appro-
priated to carry out this Act within 90 days
after such appropriation.

(B) PRIORITY.—In distributing any
amounts made available for the provision and
installation of carbon monoxide detectors in
covered federally assisted rental dwelling units,
the Secretary shall give priority to distribution
to owners of federally assisted rental dwelling
units that are located in areas where carbon
monoxide detectors are not required by State or
local law and may provide any additional prioritization that the Secretary considers appropriate.