H.R. 1618

[Report No. 116–]

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

IN THE HOUSE OF REPRESENTATIVES

MARCH 7, 2019

Ms. Kuster of New Hampshire (for herself and Mr. Carter of Georgia) 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

SEPTEMBER --, 2019

Reported from the Committee on Energy and Commerce with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on March 7, 2019]
A BILL

To encourage States to require the installation of residential carbon monoxide detectors in homes, and for other purposes.
Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Nicholas and Zachary
Burt Carbon Monoxide Poisoning Prevention Act of 2019”.

SEC. 2. FINDINGS AND SENSE OF CONGRESS.

(a) FINDINGS.—Congress finds the following:

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

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

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

(b) SENSE OF CONGRESS.—It is the sense of Congress
that Congress should promote the purchase and install-
ment of carbon monoxide alarms in residential homes and dwell-

ing units nationwide in order to promote the health and public safety of citizens throughout the United States.

SEC. 3. DEFINITIONS.

In this Act:

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

(A) detects carbon monoxide; and

(B) is intended to alarm at carbon monoxide concentrations below those that could cause a loss of ability to react to the dangers of carbon monoxide exposure.

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

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

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

(B) the American National Standard for Gas and Vapor Detectors and Sensors (ANSI/UL 2075).
(4) **DWELLING UNIT.**—The term “dwelling unit” means a room or suite of rooms used for human habitation, and includes a single family residence as well as each living unit of a multiple family residence (including apartment buildings) and each living unit in a mixed use building.

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

(6) **NFPA 72.**—The term “NFPA 72” means—

(A) the National Fire Alarm and Signaling Code issued in 2019 by the National Fire Protection Association; and

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

(7) **STATE.**—The term “State” has the meaning given such term in section 3 of the Consumer Product Safety Act (15 U.S.C. 2052) and includes the Northern Mariana Islands and any political subdivision of a State.
SEC. 4. GRANT PROGRAM FOR CARBON MONOXIDE POISONING PREVENTION.

(a) In General.—Subject to the availability of appropriations authorized under subsection (f), the Commission shall establish a grant program to provide assistance to eligible States to carry out the carbon monoxide poisoning prevention activities described in subsection (e).

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

(1) demonstrates to the satisfaction of the Commission that the State has adopted a statute or a rule, regulation, or similar measure with the force and effect of law, requiring compliant carbon monoxide alarms to be installed in dwelling units in accordance with NFPA 72; and

(2) submits an application to the Commission at such time, in such form, and containing such additional information as the Commission may require, which application may be filed on behalf of the State by the fire code enforcement officials for such State.

(c) Grant Amount.—The Commission shall determine the amount of the grants awarded under this section.

(d) Selection of Grant Recipients.—In selecting eligible States for the award of grants under this section, the Commission shall give favorable consideration to an eligible State that—
(1) requires the installation of compliant carbon monoxide alarms in new or existing educational facilities, childcare facilities, health care facilities, adult dependent care facilities, government buildings, 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, appliance, or device that burns fuel; or

(B) which has an attached garage; and

(2) has developed a strategy to protect vulnerable 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 carbon monoxide alarms in the dwelling units of low-income families or elderly persons, facilities that commonly serve children or the elderly, including childcare facilities, public schools, and senior centers, or student dwelling units owned by public universities;
(B) to train State or local fire code enforcement 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 72;

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

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

(2) LIMITATIONS.—

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

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

(f) AUTHORIZATION OF APPROPRIATIONS.—
(1) IN GENERAL.—Subject to paragraph (2), there is authorized to be appropriated to the Commission, for each of the fiscal years 2020 through 2024, $2,000,000, which shall remain available until expended to carry out this Act.

(2) LIMITATION ON ADMINISTRATIVE EXPENSES.—Not more than 10 percent of the amounts appropriated or otherwise made available to carry out this section may be used for administrative expenses.

(3) RETENTION OF AMOUNTS.—Any amounts appropriated pursuant to this subsection that remain unexpended and unobligated on September 30, 2024, shall be retained by the Commission and credited to the appropriations account that funds the enforcement of the Consumer Product Safety Act (15 U.S.C. 2051).

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