

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 1618
OFFERED BY M. _____

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Nicholas and Zachary
3 Burt Carbon Monoxide Poisoning Prevention Act of
4 2019”.

5 SEC. 2. FINDINGS AND SENSE OF CONGRESS.

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

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

12 (2) Unintentional carbon monoxide poisoning
13 from motor vehicles and the abnormal operation of
14 fuel-burning appliances, such as furnaces, water
15 heaters, portable generators, and stoves, kills more
16 than 400 people each year and sends more than
17 15,000 to hospital emergency rooms for treatment.

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

5 (b) SENSE OF CONGRESS.—It is the sense of Con-
6 gress that Congress should promote the purchase and in-
7 stallation of carbon monoxide alarms in residential homes
8 and dwelling units nationwide in order to promote the
9 health and public safety of citizens throughout the United
10 States.

11 **SEC. 3. DEFINITIONS.**

12 In this Act:

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

16 (A) detects carbon monoxide; and

17 (B) is intended to alarm at carbon mon-
18 oxide concentrations below those that could
19 cause a loss of ability to react to the dangers
20 of carbon monoxide exposure.

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

23 (3) COMPLIANT CARBON MONOXIDE ALARM.—
24 The term “compliant carbon monoxide alarm”

1 means a carbon monoxide alarm that complies with
2 the most current version of—

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

6 (B) the American National Standard for
7 Gas and Vapor Detectors and Sensors (ANSI/
8 UL 2075).

9 (4) DWELLING UNIT.—The term “dwelling
10 unit” means a room or suite of rooms used for
11 human habitation, and includes a single family resi-
12 dence as well as each living unit of a multiple family
13 residence (including apartment buildings) and each
14 living unit in a mixed use building.

15 (5) FIRE CODE ENFORCEMENT OFFICIALS.—
16 The term “fire code enforcement officials” means of-
17 ficials of the fire safety code enforcement agency of
18 a State or local government.

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

21 (A) the National Fire Alarm and Signaling
22 Code issued in 2019 by the National Fire Pro-
23 tection Association; and

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

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

9 **SEC. 4. GRANT PROGRAM FOR CARBON MONOXIDE POI-**
10 **SONING PREVENTION.**

11 (a) IN GENERAL.—Subject to the availability of ap-
12 propriations authorized under subsection (f), the Commis-
13 sion shall establish a grant program to provide assistance
14 to eligible States to carry out the carbon monoxide poi-
15 soning prevention activities described in subsection (e).

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

18 (1) demonstrates to the satisfaction of the
19 Commission that the State has adopted a statute or
20 a rule, regulation, or similar measure with the force
21 and effect of law, requiring compliant carbon mon-
22 oxide alarms to be installed in dwelling units in ac-
23 cordance with NFPA 72; and

24 (2) submits an application to the Commission
25 at such time, in such form, and containing such ad-

1 ditional information as the Commission may require,
2 which application may be filed on behalf of the State
3 by the fire code enforcement officials for such State.

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

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

10 (1) requires the installation of compliant carbon
11 monoxide alarms in new or existing educational fa-
12 cilities, childcare facilities, health care facilities,
13 adult dependent care facilities, government build-
14 ings, restaurants, theaters, lodging establishments,
15 or dwelling units—

16 (A) within which a fuel-burning appliance
17 is installed, including a furnace, boiler, water
18 heater, fireplace, or any other apparatus, appli-
19 ance, or device that burns fuel; or

20 (B) which has an attached garage; and

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

24 (e) USE OF GRANT FUNDS.—

1 (1) IN GENERAL.—An eligible State receiving a
2 grant under this section may use such grant—

3 (A) to purchase and install compliant car-
4 bon monoxide alarms in the dwelling units of
5 low-income families or elderly persons, facilities
6 that commonly serve children or the elderly, in-
7 cluding childcare facilities, public schools, and
8 senior centers, or student dwelling units owned
9 by public universities;

10 (B) to train State or local fire code en-
11 forcement officials in the proper enforcement of
12 State or local laws concerning compliant carbon
13 monoxide alarms and the installation of such
14 alarms in accordance with NFPA 72;

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

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

23 (2) LIMITATIONS.—

24 (A) ADMINISTRATIVE COSTS.—Not more
25 than 10 percent of any grant amount received

1 under this section may be used to cover admin-
2 istrative costs not directly related to training
3 described in paragraph (1)(B).

4 (B) PUBLIC OUTREACH.—Not more than
5 25 percent of any grant amount received under
6 this section may be used to cover costs of activi-
7 ties described in paragraph (1)(D).

8 (f) AUTHORIZATION OF APPROPRIATIONS.—

9 (1) IN GENERAL.—Subject to paragraph (2),
10 there is authorized to be appropriated to the Com-
11 mission, for each of the fiscal years 2020 through
12 2024, \$2,000,000, which shall remain available until
13 expended to carry out this Act.

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

19 (3) RETENTION OF AMOUNTS.—Any amounts
20 appropriated pursuant to this subsection that re-
21 main unexpended and unobligated on September 30,
22 2024, shall be retained by the Commission and cred-
23 ited to the appropriations account that funds the en-
24 forcement of the Consumer Product Safety Act (15
25 U.S.C. 2051).

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

