S. 481

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

Viz:

1 At the appropriate place, insert the following:

2 SECTION 1. SHORT TITLE.

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

6 SEC. 2. FINDINGS AND SENSE OF CONGRESS.

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

8 (1) Carbon monoxide is a colorless, odorless gas produced by burning any fuel. Exposure to unhealthy levels of carbon monoxide can lead to carbon monoxide poisoning, a serious health condition that could result in death.
(2) Unintentional carbon monoxide poisoning from motor vehicles and improper operation of fuel-burning appliances, such as furnaces, water heaters, portable generators, and stoves, annually kills more than 400 individuals and sends approximately 15,000 individuals to hospital emergency rooms for treatment.

(3) Research shows that installing 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 installation of carbon monoxide alarms in residential homes and dwelling units across the United States 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 sound an alarm at a carbon monoxide concentration below a con-
centration that could cause a loss of the ability
to react to the dangers of carbon monoxide ex-
posure.

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

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

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

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

(B) includes—

(i) a single family residence;
(ii) each living unit of a multiple family residence, including an apartment building; and

(iii) 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 or a tribal organization.

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

(A) the 2015 or 2018 edition of the International Fire Code published by the International Code Council; or

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

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

(A) the 2015 or 2018 edition of the International Residential Code published by the International Code Council; or

(B) any amended or similar successor code pertaining to the proper installation of carbon monoxide alarms in dwelling units.
(8) NFPA 720.—The term “NFPA 720” means—

(A) the Standard for the Installation of Carbon Monoxide Detection and Warning Equipment issued by the National Fire Protection Association in 2012; and

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

(9) STATE.—The term “State”—

(A) has the meaning given the term in section 3(a) of the Consumer Product Safety Act (15 U.S.C. 2052(a)); and

(B) includes—

(i) the Commonwealth of the Northern Mariana Islands; and

(ii) any political subdivision of a State.

(10) TRIBAL ORGANIZATION.—The term “tribal organization” has the meaning given the term in section 4(l) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304(l)).
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 States and tribal organizations that are eligible under subsection (b) to carry out the carbon monoxide poisoning prevention activities described in subsection (e).

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

(1) demonstrates to the satisfaction of the Commission that the State or Tribal organization 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, the IFC, or the IRC; and

(2) submits an application—

(A) to the Commission at such time, in such form, and containing such additional information as the Commission may require; and

(B) that may be filed on behalf of the State or tribal organization by the fire safety code enforcement agency of that State or tribal organization.
(c) Grant Amount.—The Commission shall determine the amount of each grant awarded under this section.

(d) Selection of Grant Recipients.—In selecting eligible States and tribal organizations for the award of grants under this section, the Commission shall give favorable consideration to an eligible State or tribal organization that—

(1) requires the installation of a compliant carbon monoxide alarm in a new or existing educational facility, childcare facility, health care facility, adult dependent care facility, government building, restaurant, theater, lodging establishment, or dwelling unit—

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

(B) that has an attached garage; and

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

(e) Use of Grant Funds.—
(1) In general.—Subject to paragraph (2), an
eligible State or tribal organization to which a grant
is awarded under this section may use the grant—

(A) to purchase and install compliant car-
bon monoxide alarms in the dwelling units of
low-income families or elderly individuals, facili-
ties 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, tribal organization, or
local fire code enforcement officials in the proper
enforcement of State, tribal, or local laws re-
garding compliant carbon monoxide alarms and
the installation of those alarms in accordance
with NFPA 720, the IFC, or the IRC;

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

(D) to educate the public about—

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

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

(A) ADMINISTRATIVE COSTS.—An eligible State or tribal organization to which a grant is awarded under this section may use not more than 5 percent of the grant amount to cover administrative costs that are not directly related to training described in paragraph (1)(B).

(B) PUBLIC OUTREACH.—An eligible State or tribal organization to which a grant is awarded under this section may use not more than 25 percent of the grant amount to cover the 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 fiscal years 2020 through 2024, $2,000,000 to carry out this Act, which shall remain available until expended.

(2) LIMITATION ON ADMINISTRATIVE EXPENSES.—In a fiscal year, not more than 10 percent of the amounts appropriated or otherwise made available to carry out this Act may be used for administrative expenses.
(3) RETENTION OF AMOUNTS.—Any amounts appropriated under 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 et seq.).

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