

117TH CONGRESS
1ST SESSION

S. 351

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

IN THE SENATE OF THE UNITED STATES

FEBRUARY 22, 2021

Ms. KLOBUCHAR (for herself and Mr. HOEVEN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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:

9 (1) Carbon monoxide is a colorless, odorless gas
10 produced by burning any fuel. Exposure to unheal-

1 thy levels of carbon monoxide can lead to carbon
2 monoxide poisoning, a serious health condition that
3 could result in death.

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

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

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

21 **SEC. 3. DEFINITIONS.**

22 In this Act:

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

1 (A) detects carbon monoxide; and

2 (B) is intended to sound an alarm at a
3 carbon monoxide concentration below a con-
4 centration that could cause a loss of the ability
5 to react to the dangers of carbon monoxide ex-
6 posure.

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

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

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

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

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

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

1 (B) includes—

2 (i) a single family residence;

3 (ii) each living unit of a multiple fam-
4 ily residence, including an apartment build-
5 ing; and

6 (iii) each living unit in a mixed use
7 building.

8 (5) FIRE CODE ENFORCEMENT OFFICIALS.—

9 The term “fire code enforcement officials” means of-
10 ficials of the fire safety code enforcement agency of
11 a State or local government or a Tribal organization.

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

14 (A) the 2015 or 2018 edition of the Inter-
15 national Fire Code published by the Inter-
16 national Code Council; or

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

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

22 (A) the 2015 or 2018 edition of the Inter-
23 national Residential Code published by the
24 International Code Council; or

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

4 (8) NFPA 720.—The term “NFPA 720”
5 means—

6 (A) the Standard for the Installation of
7 Carbon Monoxide Detection and Warning
8 Equipment issued by the National Fire Protec-
9 tion Association in 2012; and

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

13 (9) STATE.—The term “State”—

14 (A) has the meaning given the term in sec-
15 tion 3(a) of the Consumer Product Safety Act
16 (15 U.S.C. 2052(a)); and

17 (B) includes—

18 (i) the Commonwealth of the North-
19 ern Mariana Islands; and

20 (ii) any political subdivision of a
21 State.

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

1 **SEC. 4. GRANT PROGRAM FOR CARBON MONOXIDE POI-**
2 **SONING PREVENTION.**

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

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

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

19 (2) submits an application—

20 (A) to the Commission at such time, in
21 such form, and containing such additional in-
22 formation as the Commission may require; and

23 (B) that may be filed on behalf of the
24 State or Tribal organization by the fire safety
25 code enforcement agency of that State or Tribal
26 organization.

1 (c) GRANT AMOUNT.—The Commission shall deter-
2 mine the amount of each grant awarded under this sec-
3 tion.

4 (d) SELECTION OF GRANT RECIPIENTS.—In select-
5 ing eligible States and Tribal organizations for the award
6 of grants under this section, the Commission shall give
7 favorable consideration to an eligible State or Tribal orga-
8 nization that demonstrates a reasonable need for funding
9 under this section and that—

10 (1) requires the installation of a one or more
11 compliant carbon monoxide alarms in a new or exist-
12 ing educational facility, childcare facility, health care
13 facility, adult dependent care facility, government
14 building, restaurant, theater, lodging establishment,
15 or dwelling unit—

16 (A) within which a fuel-burning appliance,
17 including a furnace, boiler, water heater, fire-
18 place, or any other apparatus, appliance, or de-
19 vice that burns fuel, is installed; or

20 (B) that 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, from exposure to unhealthy
24 levels of carbon monoxide.

25 (e) USE OF GRANT FUNDS.—

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

4 (A) to purchase and install compliant car-
5 bon monoxide alarms in the dwelling units of
6 low-income families or elderly individuals, facili-
7 ties that commonly serve children or the elderly
8 (including childcare facilities, public schools,
9 and senior centers);

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

14 (C) to educate the public about—

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

17 (ii) the importance of proper carbon
18 monoxide alarm use.

19 (2) LIMITATIONS.—

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

1 (B) PUBLIC OUTREACH.—An eligible State
2 or Tribal organization to which a grant is
3 awarded under this section may use not more
4 than 25 percent of the grant amount to cover
5 the costs of activities described in paragraph
6 (1)(D).

7 (C) STATE CONTRIBUTIONS.—An eligible
8 State to which a grant is awarded under this
9 section shall, with respect to the costs incurred
10 by the State in carrying out activities under the
11 grant, provide non-Federal contributions in an
12 amount equal to not less than 25 percent of
13 amount of Federal funds provided under the
14 grant to administer the program. This subpara-
15 graph shall not apply to Tribal organizations.

16 (f) FUNDING.—

17 (1) IN GENERAL.—The Commission shall carry
18 out this Act using amounts appropriated to the
19 Commission for each of fiscal years 2021 through
20 2025, to extent such funds are available.

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

1 (g) REPORT.—Not later than 1 year after the last
2 day of each fiscal year in 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 under this section.

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