

116TH CONGRESS  
1ST SESSION

# S. 481

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

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 13, 2019

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

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## 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 2019”.

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) NFPA 720.—The term “NFPA 720”  
13 means—

14 (A) the Standard for the Installation of  
15 Carbon Monoxide Detection and Warning  
16 Equipment issued by the National Fire Protec-  
17 tion Association in 2012; and

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

21 (7) STATE.—The term “State”—

22 (A) has the meaning given the term in sec-  
23 tion 3(a) of the Consumer Product Safety Act  
24 (15 U.S.C. 2052(a)); and

25 (B) includes—

1 (i) the Commonwealth of the North-  
2 ern Mariana Islands; and

3 (ii) any political subdivision of a  
4 State.

5 (8) TRIBAL ORGANIZATION.—The term “tribal  
6 organization” has the meaning given the term in  
7 section 4(l) of the Indian Self-Determination and  
8 Education Assistance Act (25 U.S.C. 5304(l)).

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 States and tribal organizations that are eligible under  
15 subsection (b) to carry out the carbon monoxide poisoning  
16 prevention activities described in subsection (e).

17 (b) ELIGIBILITY.—For the purposes of this section,  
18 an eligible State or tribal organization is any State or trib-  
19 al organization that—

20 (1) demonstrates to the satisfaction of the  
21 Commission that the State or tribal organization has  
22 adopted a statute or a rule, regulation, or similar  
23 measure that—

24 (A) has the force and effect of law; and

1 (B) requires compliant carbon monoxide  
2 alarms to be installed in dwelling units in ac-  
3 cordance with NFPA 720; and

4 (2) submits an application—

5 (A) to the Commission at such time, in  
6 such form, and containing such additional in-  
7 formation as the Commission may require; and

8 (B) that may be filed on behalf of the  
9 State or tribal organization by the fire safety  
10 code enforcement agency of that State or tribal  
11 organization.

12 (c) GRANT AMOUNT.—The Commission shall deter-  
13 mine the amount of each grant awarded under this sec-  
14 tion.

15 (d) SELECTION OF GRANT RECIPIENTS.—In select-  
16 ing eligible States and tribal organizations for the award  
17 of grants under this section, the Commission shall give  
18 favorable consideration to an eligible State or tribal orga-  
19 nization that—

20 (1) requires the installation of a compliant car-  
21 bon monoxide alarm in a new or existing educational  
22 facility, childcare facility, health care facility, adult  
23 dependent care facility, government building, res-  
24 taurant, theater, lodging establishment, or dwelling  
25 unit—

1 (A) within which a fuel-burning appliance,  
2 including a furnace, boiler, water heater, fire-  
3 place, or any other apparatus, appliance, or de-  
4 vice that burns fuel, is installed; or

5 (B) that has an attached garage; and

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

10 (e) USE OF GRANT FUNDS.—

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

14 (A) to purchase and install compliant car-  
15 bon monoxide alarms in the dwelling units of  
16 low-income families or elderly individuals, facili-  
17 ties that commonly serve children or the elderly  
18 (including childcare facilities, public schools,  
19 and senior centers), or student dwelling units  
20 owned by public universities;

21 (B) to train State, tribal organization, or  
22 local fire code enforcement officials in the prop-  
23 er enforcement of State, tribal, or local laws re-  
24 garding compliant carbon monoxide alarms and

1 the installation of those alarms in accordance  
2 with NFPA 720;

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

7 (D) to educate the public about—

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

10 (ii) the importance of proper carbon  
11 monoxide alarm use.

12 (2) LIMITATIONS.—

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

19 (B) PUBLIC OUTREACH.—An eligible State  
20 or tribal organization to which a grant is  
21 awarded under this section may use not more  
22 than 25 percent of the grant amount to cover  
23 the costs of activities described in paragraph  
24 (1)(D).

25 (f) AUTHORIZATION OF APPROPRIATIONS.—



1           (1) IN GENERAL.—Subject to paragraph (2),  
2           there is authorized to be appropriated to the Com-  
3           mission, for each of fiscal years 2019 through 2023,  
4           \$2,000,000 to carry out this Act, which shall remain  
5           available until expended.

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

11          (3) RETENTION OF AMOUNTS.—Any amounts  
12          appropriated under this subsection that remain un-  
13          expended and unobligated on September 30, 2023,  
14          shall be retained by the Commission and credited to  
15          the appropriations account that funds the enforce-  
16          ment of the Consumer Product Safety Act (15  
17          U.S.C. 2051 et seq.).

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

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