

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—113th Cong., 2d Sess.

S. 1793

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

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by Ms. KLOBUCHAR

Viz:

1 Strike all after the enacting clause and insert the fol-

2 lowing:

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 2013”.

7 **SEC. 2. FINDINGS.**

8 Congress finds the following:

9 (1) Carbon monoxide is a colorless, odorless gas

10 produced by burning any fuel. Exposure to un-

11 healthy levels of carbon monoxide can lead to carbon

1 monoxide poisoning, a serious health condition that
2 could result in death.

3 (2) Unintentional carbon monoxide poisoning
4 from motor vehicles and the abnormal operation of
5 fuel-burning appliances, such as furnaces, water
6 heaters, portable generators, and stoves, kills more
7 than 400 people each year and sends more than
8 20,000 to hospital emergency rooms for treatment.

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

13 (4) Congress should promote the purchase and
14 installation of carbon monoxide alarms in residential
15 homes and dwelling units nationwide in order to pro-
16 mote the health and public safety of citizens
17 throughout the Nation.

18 **SEC. 3. DEFINITIONS.**

19 In this Act:

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

23 (A) detects carbon monoxide; and

24 (B) is intended to alarm at carbon mon-
25 oxide concentrations below those that could

1 cause a loss of ability to react to the dangers
2 of carbon monoxide exposure.

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

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

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

12 (B) the American National Standard for
13 Gas and Vapor Detectors and Sensors (ANSI/
14 UL 2075).

15 (4) DWELLING UNIT.—The term “dwelling
16 unit” means a room or suite of rooms used for
17 human habitation, and includes a single family resi-
18 dence as well as each living unit of a multiple family
19 residence (including apartment buildings) and each
20 living unit in a mixed use building.

21 (5) FIRE CODE ENFORCEMENT OFFICIALS.—
22 The term “fire code enforcement officials” means of-
23 ficials of the fire safety code enforcement agency of
24 a State or local government.

1 (6) NFPA 720.—The term “NFPA 720”
2 means—

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

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

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

15 **SEC. 4. GRANT PROGRAM FOR CARBON MONOXIDE POI-**
16 **SONING PREVENTION.**

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

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

24 (1) demonstrates to the satisfaction of the
25 Commission that the State has adopted a statute or

1 a rule, regulation, or similar measure with the force
2 and effect of law, requiring compliant carbon mon-
3 oxide alarms to be installed in dwelling units in ac-
4 cordance with NFPA 720; and

5 (2) submits an application to the Commission
6 at such time, in such form, and containing such ad-
7 ditional information as the Commission may require,
8 which application may be filed on behalf of the State
9 by the fire code enforcement officials for such State.

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

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

16 (1) requires the installation of compliant carbon
17 monoxide alarms in new or existing educational fa-
18 cilities, childcare facilities, health care facilities,
19 adult dependent care facilities, government build-
20 ings, restaurants, theaters, lodging establishments,
21 or dwelling units—

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

1 (B) which has an attached garage; and

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

5 (e) USE OF GRANT FUNDS.—

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

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

15 (B) to train State or local fire code en-
16 forcement officials in the proper enforcement of
17 State or local laws concerning compliant carbon
18 monoxide alarms and the installation of such
19 alarms in accordance with NFPA 720;

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

24 (D) to educate the public about the risk
25 associated with carbon monoxide as a poison

1 and the importance of proper carbon monoxide
2 alarm use.

3 (2) LIMITATIONS.—

4 (A) ADMINISTRATIVE COSTS.—Not more
5 than 10 percent of any grant amount received
6 under this section may be used to cover admin-
7 istrative costs not directly related to training
8 described in paragraph (1)(B).

9 (B) PUBLIC OUTREACH.—Not more than
10 25 percent of any grant amount received under
11 this section may be used to cover costs of activi-
12 ties described in paragraph (1)(D).

13 (f) AUTHORIZATION OF APPROPRIATIONS.—

14 (1) IN GENERAL.—Subject to paragraph (2),
15 there is authorized to be appropriated to the Com-
16 mission, for each of the fiscal years 2015 through
17 2019, \$2,000,000, which shall remain available until
18 expended to carry out this Act.

19 (2) LIMITATION ON ADMINISTRATIVE EX-
20 PENSES.—Not more than 10 percent of the amounts
21 appropriated or otherwise made available to carry
22 out this section may be used for administrative ex-
23 penses.

24 (3) RETENTION OF AMOUNTS.—Any amounts
25 appropriated pursuant to this subsection that re-

1 main unexpended and unobligated on September 30,
2 2019, shall be retained by the Commission and cred-
3 ited to the appropriations account that funds the en-
4 forcement of the Consumer Product Safety Act (15
5 U.S.C. 2051).

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