



AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: In the nature of a substitute.

**IN THE SENATE OF THE UNITED STATES—114th Cong., 1st Sess.****S. 1250**

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 2015”.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 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 improper operation of fuel-  
5 burning appliances, such as furnaces, water heaters,  
6 portable generators, and stoves, kills more than 400  
7 people each year and sends approximately 15,000 to  
8 hospital emergency rooms for treatment.

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

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

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

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

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

23           (5) FIRE CODE ENFORCEMENT OFFICIALS.—  
24           The term “fire code enforcement officials” means of-

1 officials of the fire safety code enforcement agency of  
2 a State or local government or tribal organization.

3 (6) NFPA 720.—The term “NFPA 720”  
4 means—

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

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

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

17 (8) TRIBAL ORGANIZATION.—The term “tribal  
18 organization” has the meaning given such term in  
19 section 4 of the Indian Self-Determination and Edu-  
20 cation Assistance Act (25 U.S.C. 450b).

21 **SEC. 4. GRANT PROGRAM FOR CARBON MONOXIDE POI-**  
22 **SONING PREVENTION.**

23 (a) IN GENERAL.—Subject to the availability of ap-  
24 propriations authorized under subsection (f), the Commis-  
25 sion shall establish a grant program to provide assistance

1 to eligible States and tribal organizations to carry out the  
2 carbon monoxide poisoning prevention activities described  
3 in subsection (e).

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

7 (1) demonstrates to the satisfaction of the  
8 Commission that the State or tribal organization has  
9 adopted a statute or a rule, regulation, or similar  
10 measure with the force and effect of law, requiring  
11 compliant carbon monoxide alarms to be installed in  
12 dwelling units in accordance with NFPA 720; and

13 (2) submits an application to the Commission  
14 at such time, in such form, and containing such ad-  
15 ditional information as the Commission may require,  
16 which application may be filed on behalf of the State  
17 or tribal organization by the fire code enforcement  
18 officials for such State or tribal organization.

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

21 (d) **SELECTION OF GRANT RECIPIENTS.**—In select-  
22 ing eligible States and tribal organizations for the award  
23 of grants under this section, the Commission shall give  
24 favorable consideration to an eligible State or tribal orga-  
25 nization that—

1           (1) requires the installation of compliant carbon  
2           monoxide alarms in new or existing educational fa-  
3           cilities, childcare facilities, health care facilities,  
4           adult dependent care facilities, government build-  
5           ings, restaurants, theaters, lodging establishments,  
6           or dwelling units—

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

11                   (B) which has an attached garage; and

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

15           (c) USE OF GRANT FUNDS.—

16                   (1) IN GENERAL.—An eligible State or tribal  
17                   organization receiving a grant under this section  
18                   may use such grant—

19                    (A) to purchase and install compliant car-  
20                    bon monoxide alarms in the dwelling units of  
21                    low-income families or elderly persons, facilities  
22                    that commonly serve children or the elderly, in-  
23                    cluding childcare facilities, public schools, and  
24                    senior centers, or student dwelling units owned  
25                    by public universities;

1 (B) to train State, tribal organization, or  
2 local fire code enforcement officials in the prop-  
3 er enforcement of State, tribal, or local laws  
4 concerning compliant carbon monoxide alarms  
5 and the installation of such alarms in accord-  
6 ance with NFPA 720;

7 (C) for the development and dissemination  
8 of training materials, instructors, and any other  
9 costs related to the training sessions authorized  
10 by this subsection; or

11 (D) to educate the public about the risk  
12 associated with carbon monoxide as a poison  
13 and the importance of proper carbon monoxide  
14 alarm use.

15 (2) LIMITATIONS.—

16 (A) ADMINISTRATIVE COSTS.—Not more  
17 than 5 percent of any grant amount received  
18 under this section may be used to cover admin-  
19 istrative costs not directly related to training  
20 described in paragraph (1)(B).

21 (B) PUBLIC OUTREACH.—Not more than  
22 25 percent of any grant amount received under  
23 this section may be used to cover costs of activi-  
24 ties described in paragraph (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 the fiscal years 2015 through  
4           2019, \$2,000,000, which shall remain available until  
5           expended to carry out this Act.

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

11          (3) RETENTION OF AMOUNTS.—Any amounts  
12          appropriated pursuant to this subsection that re-  
13          main unexpended and unobligated on September 30,  
14          2019, shall be retained by the Commission and cred-  
15          ited to the appropriations account that funds the en-  
16          forcement of the Consumer Product Safety Act (15  
17          U.S.C. 2051).

18          (g) REPORT.—Not later than 1 year after the last  
19          day of each fiscal year for 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 by this section.