

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 494 Session of 2023

INTRODUCED BY McNEILL, MADDEN, SANCHEZ, SIEGEL, R. MACKENZIE, DELLOSO, PROBST, ISAACSON, CIRESI, SCHLOSSBERG, HOWARD, D. WILLIAMS, KINSEY, SAMUELSON, HILL-EVANS, FLEMING, HARKINS, NEILSON, DEASY, WARREN, FREEMAN, FRANKEL, GAYDOS, SHUSTERMAN, SCHWEYER, OTTEN, HANBIDGE, KHAN AND WAXMAN, MARCH 17, 2023

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, APRIL 25, 2023

AN ACT

1 Providing standards for carbon monoxide alarms in child care
2 centers and family child care homes; and imposing penalties.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Carbon
7 Monoxide Alarm Standards in Child Care Centers and Family Child
8 Care Homes Act.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall
11 have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 "Approved carbon monoxide alarm." The term includes:

14 (1) A single or multiple station carbon monoxide alarm
15 listed as complying with the Standard for Single and Multiple
16 Station Carbon Monoxide Alarms (ANSI/UL2034) or a carbon

1 monoxide detector listed as complying with the Standard for
2 Gas and Vapor Detectors and Sensors (ANSI/UL2075) installed
3 in accordance with this act.

4 (2) A device that may be combined with a smoke alarm or
5 smoke detector if the combined smoke alarm or smoke detector
6 meets all of the following:

7 (i) Complies with either of the following:

8 (A) The Standard for Single and Multiple Station
9 Carbon Monoxide Alarms (ANSI/UL2034) for carbon
10 monoxide alarms and the Standard for Single and
11 Multiple Station Smoke Alarms (ANSI/UL217) for smoke
12 alarms.

13 (B) The Standard for Gas and Vapor Detectors and
14 Sensors (ANSI/UL2075) for carbon monoxide detectors
15 and the Standard for Safety for Smoke Detectors for
16 Fire Alarm Systems (ANSI/UL268) for smoke detectors.

17 (ii) Emits an alarm in a manner that clearly
18 differentiates between detecting the presence of carbon
19 monoxide and the presence of smoke.

20 (3) A carbon monoxide detection system that includes
21 carbon monoxide detectors and audible notification appliances
22 that are installed and maintained in accordance with the
23 National Fire Alarm and Signaling Code (NFPA 72) ~~and the~~ <--
24 ~~Standard for the Installation of Carbon Monoxide (CO)~~
25 ~~Detection and Warning Equipment (NFPA 720)~~ and are in
26 compliance with the Standard for Gas and Vapor Detectors and
27 Sensors (ANSI/UL2075).

28 "Child care center." As defined in section 1001 of the ~~act~~ <--
29 ~~of June 13, 1967 (P.L.31, No.21), known as the Human Services~~
30 Code.

1 "Department." The Department of Human Services of the
2 Commonwealth.

3 "Family child care home." As defined in section 1001 of the
4 Human Services Code.

5 "HUMAN SERVICES CODE." THE ACT OF JUNE 13, 1967 (P.L.31, <--
6 NO.21), KNOWN AS THE HUMAN SERVICES CODE.

7 "Installed." A carbon monoxide alarm that is hardwired into
8 the electrical wiring, directly plugged into an electrical
9 outlet without a switch, other than a circuit breaker, or, if
10 the alarm is battery-powered, attached to the wall or ceiling of
11 a unit of a child care center or family child care home, in
12 accordance with the ~~Standard for the Installation of Carbon~~ <--
13 ~~Monoxide (CO) Detection and Warning Equipment (NFPA 720)~~
14 NATIONAL FIRE ALARM AND SIGNALING CODE (NFPA 72). <--

15 "Operational." Working and in service.

16 "Unit." A room or suite of two or more rooms that is
17 occupied as a residence, intended or designed to be occupied as
18 a residence, or is occupied by a client of a child care center
19 or family child care home.

20 Section 3. Administration.

21 Nothing in this act is intended to modify the authority and
22 responsibilities of the Department of Labor and Industry under
23 the act of November 10, 1999 (P.L.491, No.45), known as the
24 Pennsylvania Construction Code Act.

25 Section 4. Carbon monoxide alarm requirements.

26 Each building in which a child care center or family child
27 care home is in operation, which uses a fossil-fuel-burning
28 heater or appliance, fireplace or an attached garage, must have
29 an operational, centrally located and approved carbon monoxide
30 alarm installed in the vicinity of the fossil-fuel-burning

1 heater or fireplace and in every unit that is located on the
2 same story as the fossil-fuel-burning heater or appliance within
3 18 months of the effective date of this section.

4 Section 5. Enforcement.

5 The department may take an enforcement action against a child
6 care center or family child care home for a violation of section
7 4 in accordance with Articles IX and X of the ~~act of June 13,~~ <--
8 ~~1967 (P.L.31, No.21), known as the~~ Human Services Code, and
9 applicable regulations.

10 Section 6. Notice.

11 Within 12 months of the effective date of this section, the
12 department shall provide written notice of the requirements
13 under this act to each child care center or family child care
14 home.

15 Section 7. Effective date.

16 This act shall take effect in 90 days.