

# SENATE . . . . . No.

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## The Commonwealth of Massachusetts

PRESENTED BY:

*Ryan C. Fattman*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relating to carbon monoxide detectors in schools.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

*Ryan C. Fattman*

*Worcester and Norfolk*

*Michael O. Moore*

*Second Worcester*

# SENATE . . . . . No.

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By Mr. Fattman, a petition (accompanied by bill, Senate, No.      ) of Ryan C. Fattman and Michael O. Moore for legislation relative to carbon monoxide detectors in schools. Education.

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## The Commonwealth of Massachusetts

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In the One Hundred and Eighty-Ninth General Court  
(2015-2016)  
\_\_\_\_\_

An Act relating to carbon monoxide detectors in schools.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1            SECTION 1. Chapter 29 of the General Laws is hereby amended by inserting after  
2            section 2KKKK the following section:-

3            Section 2LLLL. (a) There shall be established and set upon the books of the  
4            commonwealth a separate fund to be known as the School Carbon Monoxide Safety Trust Fund,  
5            to be expended without prior appropriation, by the department of elementary and secondary  
6            education. The fund shall be credited any revenue from appropriations or other monies  
7            authorized by the general court and specifically designated to be credited to the fund and any  
8            gifts, grants, private contributions, investment income earned on the assets of the fund and all  
9            other sources. Money remaining in the fund at the end of a fiscal year shall not revert to the  
10           General Fund. The commissioner of elementary and secondary education or a designee, in  
11           consultation with the department of fire safety, shall administer the fund and make expenditures  
12           from the fund in the form of grants to public school districts for the installation of carbon

monoxide detection systems as required under subsection (a<sup>1/2</sup>) of section 26F<sup>1/2</sup> of chapter 148 and regulations promulgated by the board of fire prevention.

(b) Prior to receiving any monies from the fund, a school district shall submit a carbon monoxide detection system installation plan to the department of elementary and secondary education and the department of fire safety. The plan shall include, but not be limited to: (i) the method of installation of the carbon monoxide detection system for each school building in the district; (ii) the status of carbon monoxide detection systems previously installed in school buildings; and (iii) the cost, including labor costs, of installing carbon monoxide detection systems. The department of elementary and secondary education, in conjunction with the department of fire safety, shall: (A) review the plan and may request additional or supporting information within 90 days of receipt of the plan; and (B) provide each school district 60 days to submit any additional or supporting information requested. A plan shall be approved or rejected not later than 180 days after receipt of the plan.

(c) Not later than April 1 of each year, the department of elementary and secondary education, in conjunction with the department of fire safety, shall submit a report to the clerks of the house of representatives and the senate and the chairs of the house and senate committees on ways and means regarding the status of the fund including, but not limited to: (i) the amount of money in the fund; and (ii) a list of school districts that were awarded grants and the amount of the grants awarded.

SECTION 2. Section 26F<sup>1/2</sup> of said chapter 148, as appearing in the 2012 Official Edition, is hereby amended by inserting after subsection (a) the following subsection:-

(a $\frac{1}{2}$ ) Each school building that provides public or private education for children in kindergarten through grade 12 that: (1) contains fossil-fuel burning equipment including, but not limited to, a furnace, boiler, water heater, fireplace or any other apparatus, appliance or device that burns fossil fuel; or (2) incorporates enclosed parking within its structure shall install carbon monoxide alarms under the regulations of the board of fire prevention.

SECTION 3. The state board of building regulations and standards shall adopt as a minimum standard the 2015 International Building Code requirement to install carbon monoxide detection systems in all new or substantially rehabilitated school buildings that provide education for children in kindergarten through grade 12.

SECTION 4. Notwithstanding subsection (a $\frac{1}{2}$ ) of section 26F $\frac{1}{2}$  of chapter 148 of the General Laws, the board of fire prevention shall allow the temporary use of battery-operated carbon monoxide alarms.

SECTION 5. Notwithstanding any general or special law to the contrary, not later than January 1, 2017 and without further appropriation, the state comptroller shall transfer \$7,500,000 from the General Fund to the School Carbon Monoxide Safety Trust Fund established in section 2LLLL of chapter 29 of the General Laws.

SECTION 6. Notwithstanding any general or special law to the contrary, not later than March 31, 2016, the department of elementary and secondary education, in consultation with the department of fire safety and the Massachusetts School Building Authority, shall develop best practices for the placement and installation of carbon monoxide detection systems in public school buildings as required by section 2 of this act; provided, however, that the best practices shall prioritize student and staff safety as well as cost economy.

56           SECTION 7. Section 4 is hereby repealed.

57           SECTION 8. Section 7 shall take effect on January 1, 2021.

58           SECTION 9. Unless otherwise provided, this act shall take effect on January 1, 2017.