

SENATE No. 252

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 relative to carbon monoxide detectors in schools.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Ryan C. Fattman</i>	<i>Worcester and Norfolk</i>	
<i>James R. Miceli</i>	<i>19th Middlesex</i>	<i>1/30/2017</i>
<i>Richard J. Ross</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>1/30/2017</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>2/1/2017</i>
<i>Brian Murray</i>	<i>10th Worcester</i>	<i>2/2/2017</i>
<i>Paul K. Frost</i>	<i>7th Worcester</i>	<i>2/2/2017</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>2/14/2017</i>

SENATE No. 252

By Mr. Fattman, a petition (accompanied by bill, Senate, No. 252) of Ryan C. Fattman, James R. Miceli, Richard J. Ross, Thomas M. Stanley and other members of the General Court for legislation relative to carbon monoxide detectors in schools. Education.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act relative 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 2VVVV the following section:-

3 Section 2WWWW. (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

13 monoxide detection systems as required under subsection (a^{1/2}) of section 26F^{1/2} of chapter 148
14 and regulations promulgated by the board of fire prevention.

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

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

32 SECTION 2. Section 26F^{1/2} of said chapter 148, as appearing in the 2014 Official Edition,
33 is hereby amended by inserting after subsection (a) the following subsection:-

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

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

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

46 SECTION 5. Notwithstanding any general or special law to the contrary, not later than
47 January 1, 2019 and without further appropriation, the state comptroller shall transfer \$7,500,000
48 from the General Fund to the School Carbon Monoxide Safety Trust Fund established in section
49 2WWW of chapter 29 of the General Laws.

50 SECTION 6. Notwithstanding any general or special law to the contrary, not later than
51 March 31, 2018, the department of elementary and secondary education, in consultation with the
52 department of fire safety and the Massachusetts School Building Authority, shall develop best
53 practices for the placement and installation of carbon monoxide detection systems in public
54 school buildings as required by section 2 of this act; provided, however, that the best practices
55 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, 2024.

58 SECTION 9. Unless otherwise provided, this act shall take effect on January 1, 2019.