

HOUSE No. 653

The Commonwealth of Massachusetts

PRESENTED BY:

Kate Lipper-Garabedian and Joseph D. McKenna

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 alarms in schools.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Kate Lipper-Garabedian</i>	<i>32nd Middlesex</i>	<i>2/5/2021</i>
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>	<i>2/5/2021</i>

HOUSE No. 653

By Representatives Lipper-Garabedian of Melrose and McKenna of Webster, a petition (accompanied by bill, House, No. 653) of Kate Lipper-Garabedian and Joseph D. McKenna relative to carbon monoxide alarms in schools. Education.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

An Act relative to carbon monoxide alarms 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 2CCCCC the following section:-

3 Section 2DDDDD. (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^{1/2}) of section 26F^{1/2} 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 services. 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 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 services, 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. Subsection (a) of section 6 of chapter 70B of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by adding the following clause:

(7) The school project includes a plan for the installation of a carbon monoxide detection system as required under subsection (a $\frac{1}{2}$) of section 26F $\frac{1}{2}$ of chapter 148.

SECTION 3. Section 26F $\frac{1}{2}$ of said chapter 148, as appearing in the 2018 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 be equipped with working, approved carbon monoxide alarms in conformance with the requirements of the board of fire prevention regulations.

SECTION 4. The state board of building regulations and standards shall adopt as a minimum standard the 2018 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 5. 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 carbon monoxide alarms that are solely battery-powered or that are plug-in with battery back-up in school buildings in the Commonwealth until the school undergoes a heating plant replacement, or other major reconstruction project as defined in section 2 of chapter 70B that is determined by the Massachusetts School Building Authority to be appropriately suited for the installation of permanent alarms. The board shall determine the frequency that any temporary alarms that are battery-powered or contain battery back-up shall be inspected and batteries shall be replaced.

SECTION 6. Notwithstanding any general or special law to the contrary, not later than June 30, 2021 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 2DDDDD of chapter 29 of the General Laws.

SECTION 7. Notwithstanding any general or special law to the contrary, not later than December 31, 2020, the department of fire services, in consultation with the department of elementary and secondary education and the Massachusetts School Building Authority, shall develop best practices that are commensurate with Section 915.2.3 of the 2015 International Building Code for the placement and installation of carbon monoxide detection systems in public school buildings as required by subsection (a ½) of section 26F ½ of chapter 148; provided, however, that the best practices shall prioritize student and staff safety as well as cost economy.