
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 439 Session of
2017

INTRODUCED BY FONTANA, BREWSTER, COSTA, HAYWOOD, HUGHES AND
BROWNE, FEBRUARY 27, 2017

REFERRED TO HEALTH AND HUMAN SERVICES, FEBRUARY 27, 2017

AN ACT

1 Providing standards for carbon monoxide alarms in child care
2 facilities; 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 Facilities Act.

8 Section 2. Definitions.

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

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

13 (1) A single or multiple station carbon monoxide alarm
14 listed as complying with the Standard for Single and Multiple
15 Station Carbon Monoxide Alarms (ANSI/UL2034) or a carbon
16 monoxide detector listed as complying with the Standard for
17 Gas and Vapor Detectors and Sensors (ANSI/UL2075) installed
18 in accordance with this act.

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

4 (i) Complies with either of the following:

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

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

14 (ii) Emits an alarm in a manner that clearly
15 differentiates between detecting the presence of carbon
16 monoxide and the presence of smoke.

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

25 "Child care facility." Any of the following:

26 (1) A boarding home for children as defined under
27 section 1001 of the act of June 13, 1967 (P.L.31, No.21),
28 known as the Human Services Code.

29 (2) A child day care center as defined under section
30 1001 of the Human Services Code.

1 (3) A nursery school that is licensed and regulated by
2 the Commonwealth.

3 "Fossil fuel." Coal, kerosene, oil, wood, fuel gases and
4 other petroleum or hydrocarbon products which emit carbon
5 monoxide as a by-product of combustion.

6 "Installed." A carbon monoxide alarm that is hardwired into
7 the electrical wiring, directly plugged into an electrical
8 outlet without a switch, other than a circuit breaker, or, if
9 the alarm is battery-powered, attached to the wall or ceiling of
10 a unit of a child care facility, in accordance with the Standard
11 for the Installation of Carbon Monoxide (CO) Detection and
12 Warning Equipment (NFPA 720).

13 "Operational." Working and in service.

14 "Unit." A room or suite of two or more rooms that is
15 occupied as a residence, intended or designed to be occupied as
16 a residence, or is occupied by a client of a child care
17 facility.

18 Section 3. Administration.

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

23 Section 4. Carbon monoxide alarm requirements.

24 (a) Child care facilities.--Each child care facility, which
25 uses a fossil fuel-burning heater or appliance, fireplace or an
26 attached garage, must have an operational, centrally located and
27 approved carbon monoxide alarm installed in the vicinity of the
28 fossil-fuel-burning heater or fireplace and in every unit that
29 is located on the same story as the fossil-fuel-burning heater
30 or appliance within 18 months of the effective date of this

1 section.

2 (b) Maintenance, repair or replacement.--The owner of a
3 child care facility is responsible for providing for the
4 maintenance, repair or replacement of an approved carbon
5 monoxide alarm or the care and replacement of batteries.

6 Section 5. Enforcement.

7 Willful failure to install or maintain in operating condition
8 any approved carbon monoxide alarm required by this act is a
9 summary offense punishable by a fine of up to \$50.

10 Section 6. Effective date.

11 This act shall take effect immediately.