

**SENATE . . . . . No. 271**

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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 relative to carbon monoxide detectors in schools.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Ryan C. Fattman</i>	<i>Worcester and Hampden</i>	
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>	<i>2/1/2023</i>

**SENATE . . . . . No. 271**

By Mr. Fattman, a petition (accompanied by bill, Senate, No. 271) of Ryan C. Fattman and Joseph D. McKenna for legislation relative to carbon monoxide detectors in schools. Education.

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 332 OF 2021-2022.]

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Third General Court  
(2023-2024)**

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, as appearing in the 2020 Official Edition,  
2 is hereby amended by adding the following section:-

3 Section 72. (a) There shall be established and set upon the books of the commonwealth a  
4 separate fund to be known as the School Carbon Monoxide Safety Trust Fund, to be expanded  
5 without prior appropriation, by the department of elementary and secondary education. The fund  
6 shall be credited any revenue from appropriations or other monies authorized by the general  
7 court and specifically designated to be credited to the fund and any gifts, grants, private  
8 contributions, investment income earned on the assets of the fund and all other sources. Money  
9 remaining in the fund at the end of a fiscal year shall not revert to the General Fund. The  
10 commissioner of elementary and secondary education or a designee, in consultation with the

11 department of fire safety, shall administer the fund and make expenditures from the fund in the  
12 form of grants to public school districts for the installation of carbon monoxide detection systems  
13 as required under subsection (a $\frac{1}{2}$ ) of section 26F $\frac{1}{2}$  of chapter 148 and regulations promulgated  
14 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 26F½ of said chapter 148, as so appearing, is hereby amended by  
33 inserting after subsection (a) the following subsection:-

34 (a½) 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 (a½) of section 26F½ 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, 2025 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 27 of chapter 29 of the General Laws.

50 SECTION 6. Notwithstanding any general or special law to the contrary, not later than  
51 January 1, 2025 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, 2029.

58 SECTION 9. Unless otherwise provided, this act shall take effect on January 1, 2024.