

## AMENDMENTS TO HOUSE BILL NO. 1630

Sponsor: SENATOR FONTANA

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1 Amend Bill, page 1, line 5, by inserting after "obligations"  
2 ; and providing for carbon monoxide alarm standards in child-  
3 care facilities

4 Amend Bill, page 3, by inserting between lines 10 and 11

5 Section 2. The act is amended by adding an article to read:

6 ARTICLE VIII-J

7 CARBON MONOXIDE ALARM STANDARDS

8 IN CHILD-CARE FACILITIES

9 Section 801-J. Definitions.

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

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

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

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

23 (i) Complies with either of the following:

24 (A) The Standard for Single and Multiple Station  
25 Carbon Monoxide Alarms (ANSI/UL2034) for carbon  
26 monoxide alarms and the Standard for Single and  
27 Multiple Station Smoke Alarms (ANSI/UL217) for smoke  
28 alarms.

29 (B) The Standard for Gas and Vapor Detectors and  
30 Sensors (ANSI/UL2075) for carbon monoxide detectors  
31 and the Standard for Safety for Smoke Detectors for  
32 Fire Alarm Systems (ANSI/UL268) for smoke detectors.

33 (ii) Emits an alarm in a manner that clearly  
34 differentiates between detecting the presence of carbon  
35 monoxide and the presence of smoke.

36 (3) A carbon monoxide detection system that includes  
37 carbon monoxide detectors and audible notification appliances

1 that are installed and maintained in accordance with the  
2 National Fire Alarm and Signaling Code (NFPA 72) and the  
3 Standard for the Installation of Carbon Monoxide (CO)  
4 Detection and Warning Equipment (NFPA 720) and are in  
5 compliance with the Standard for Gas and Vapor Detectors and  
6 Sensors (ANSI/UL2075).

7 "Child care." Care in lieu of parental care given for part  
8 of the day to a child under 16 years of age away from the  
9 child's own home. The term does not include child care furnished  
10 in places of worship during religious services.

11 "Child-care facility." Any of the following:

12 (1) A premises in which child care is provided for a  
13 period exceeding 24 hours for a child under 16 years of age  
14 who is not a relative of the operator and who is not  
15 accompanied by a parent, individual standing in loco parentis  
16 or legal guardian. For purposes of this paragraph, the term  
17 does not include a premises selected for care of a child by a  
18 parent, individual standing in loco parentis or legal  
19 guardian for a period of 30 days or less or a facility  
20 operated under social service auspices.

21 (2) A premises in which child care is provided  
22 simultaneously for seven or more children who are not  
23 relatives of the operator, except a facility operated under  
24 social service auspices.

25 (3) A home where child care is provided at any time to  
26 no less than four children and no more than six children who  
27 are not relatives of the caregiver.

28 (4) A nursery school that is licensed and regulated by  
29 the Commonwealth.

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

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

40 "Operational." Working and in service.

41 "Unit." A room or suite of two or more rooms that is  
42 occupied as a residence, intended or designed to be occupied as  
43 a residence, or is occupied by a client of a child-care  
44 facility.

45 Section 802-J. Administration.

46 Nothing in this article is intended to modify the authority  
47 and responsibilities of the Department of Labor and Industry  
48 under the act of November 10, 1999 (P.L.491, No.45), known as  
49 the Pennsylvania Construction Code Act.

50 Section 803-J. Carbon monoxide alarm requirements.

51 Each building in which a child-care facility is in operation,

which uses a fossil-fuel-burning heater or appliance, fireplace or an attached garage, must have an operational, centrally located and approved carbon monoxide alarm installed in the vicinity of the fossil-fuel-burning heater or fireplace and in every unit that is located on the same story as the fossil-fuel-burning heater or appliance within 18 months of the effective date of this section.

Section 804-J. Licensure.

(a) General rule.--Except as provided under subsection (b), the department may not issue or renew a license for a child-care facility supervised or licensed under Article IX or X if the child-care facility fails to meet the requirements under section 803-J.

(b) Provisional licensure.--If a child-care facility licensed under Article X is not in compliance with the requirements of section 803-J, the department may issue a provisional license in accordance with section 1008.

Amend Bill, page 3, line 11, by striking out "2" and inserting

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Amend Bill, page 3, line 11, by striking out "in 60 days." and inserting

as follows:

(1) This section shall take effect immediately.

(2) The addition of Article VIII-J of the act shall take effect in 90 days.

(3) The remainder of this act shall take effect in 60 days.