To require qualifying smoke detectors in certain federally assisted housing, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. DEAN introduced the following bill; which was referred to the Committee on ____________________________

A BILL

To require qualifying smoke detectors in certain federally assisted housing, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “__________ Act of 2022”.

SEC. 2. SMOKE DETECTORS IN FEDERALLY ASSISTED HOUSING.

(a) PUBLIC HOUSING, TENANT-BASED ASSISTANCE, AND PROJECT-BASED ASSISTANCE.—The United States
Housing Act of 1937 (42 U.S.C. 1437 et seq.) is amended—

(1) in section 3(a) (42 U.S.C. 1437a(a)), by adding at the end the following:

“(9) QUALIFYING SMOKE DETECTORS.—

“(A) IN GENERAL.—Each public housing agency shall ensure that a qualifying smoke detector is installed in accordance with the requirements of the National Fire Protection Association Standard 72 or any successor standard in each level and in or near each sleeping area in any dwelling unit in public housing owned or operated by the public housing agency, including in basements but excepting crawl spaces and unfinished attics, and in each common area in a project containing such a dwelling unit.

“(B) DEFINITIONS.—For purposes of this paragraph, the following definitions shall apply:

“(i) SMOKE DETECTOR DEFINED.—

The term ‘smoke detector’ has the meaning given such term in section 29(d) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2225(d)).
“(ii) QUALIFYING SMOKE DETECTOR

DEFINED.—The term ‘qualifying smoke detector’ means a smoke detector that—

“(I) in the case of a dwelling unit built before the date of the enactment of this paragraph and not substantially rehabilitated after the date of this paragraph is—

“(aa) hardwired; or

“(bb) uses 10-year lithium batteries; and—

“(AA) is sealed

“(BB) is tamper resistant;

“(CC) contains hush features; and

“(DD) has an alarm system designed for hearing-impaired persons as specified in National Fire Protection Association Standard 72 or any successor standard; or

“(II) in the case of a dwelling unit built or substantially rehabili-
tated after the date of the enactment
of this paragraph, is hardwired.”; and

(2) in section 8 (42 U.S.C. 1437f)—

(A) by inserting after subsection (k) the
following:

“(l) QUALIFYING SMOKE DETECTORS.—

“(1) IN GENERAL.—Each owner of a dwelling
unit receiving project-based assistance under this
section shall ensure that qualifying smoke detectors
are installed in accordance with the requirements of
the National Fire Protection Association Standard
72 or any successor standard in each level and in or
near each sleeping area in such dwelling unit, in-
cluding in basements but excepting crawl spaces and
unfinished attics, and in each common area in a
project containing such a dwelling unit.

“(2) DEFINITIONS.—For purposes of this sub-
section, the following definitions shall apply:

“(A) SMOKE DETECTOR DEFINED.—The
term ‘smoke detector’ has the meaning given
such term in section 29(d) of the Federal Fire
2225(d)).
“(B) QUALIFYING SMOKE DETECTOR DEFINED.—The term ‘qualifying smoke detector’ means a smoke detector that—

“(i) in the case of a dwelling unit built before the date of the enactment of this paragraph and not substantially rehabilitated after the date of this paragraph is—

“(I) hardwired; or

“(II) uses 10-year lithium batteries; and—

“(aa) is sealed

“(bb) is tamper resistant;

“(cc) contains hush features;

and

“(dd) has an alarm system designed for hearing-impaired persons as specified in National Fire Protection Association Standard 72 or any successor standard; or

“(ii) in the case of a dwelling unit built or substantially rehabilitated after the date of the enactment of this paragraph, is hardwired.”; and
(B) in subsection (o), by adding at the end the following:

“(22) QUALIFYING SMOKE DETECTORS.—

“(A) IN GENERAL.—Each dwelling unit receiving tenant-based assistance or project-based assistance under this subsection shall have a qualifying smoke detector installed in accordance with the requirements of the National Fire Protection Association Standard 72 or any successor standard in each level and in or near each sleeping area in such dwelling unit, including in basements but excepting crawl spaces and unfinished attics, and in each common area in a project containing such a dwelling unit.

“(B) DEFINITIONS.—For purposes of this paragraph, the following definitions shall apply:

“(i) SMOKE DETECTOR DEFINED.—The term ‘smoke detector’ has the meaning given such term in section 29(d) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2225(d)).

“(ii) QUALIFYING SMOKE DETECTOR DEFINED.—The term ‘qualifying smoke detector’ means a smoke detector that—
“(I) in the case of a dwelling unit built before the date of the enactment of this paragraph and not substantially rehabilitated after the date of this paragraph is—

“(aa) hardwired; or

“(bb) uses 10-year lithium batteries; and—

“(AA) is sealed

“(BB) is tamper resistant;

“(CC) contains hush features; and

“(DD) has an alarm system designed for hearing-impaired persons as specified in National Fire Protection Association Standard 72 or any successor standard; or

“(II) in the case of a dwelling unit built or substantially rehabilitated after the date of the enactment of this paragraph, is hardwired.”.
(b) SUPPORTIVE HOUSING FOR THE ELDERLY.—

Section 202(j) of the Housing Act of 1959 (12 U.S.C. 1701q(j)) is amended by adding at the end the following:

“(10) QUALIFYING SMOKE DETECTORS.—

“(A) IN GENERAL.—Each owner of a dwelling unit assisted under this section shall ensure that qualifying smoke detectors are installed in accordance with the requirements of the National Fire Protection Association Standard 72 or any successor standard in each level and in or near each sleeping area in such dwelling unit, including in basements but excepting crawl spaces and unfinished attics, and in each common area in a project containing such a dwelling unit.

“(B) DEFINITIONS.—For purposes of this paragraph, the following definitions shall apply:

“(i) SMOKE DETECTOR DEFINED.—The term ‘smoke detector’ has the meaning given such term in section 29(d) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2225(d)).

“(ii) QUALIFYING SMOKE DETECTOR DEFINED.—The term ‘qualifying smoke detector’ means a smoke detector that—
“(I) in the case of a dwelling unit built before the date of the enactment of this paragraph and not substantially rehabilitated after the date of this paragraph is—

“(aa) hardwired; or

“(bb) uses 10-year lithium batteries; and—

“(AA) is sealed

“(BB) is tamper resistant;

“(CC) contains hush features; and

“(DD) has an alarm system designed for hearing-impaired persons as specified in National Fire Protection Association Standard 72 or any successor standard; or

“(II) in the case of a dwelling unit built or substantially rehabilitated after the date of the enactment of this paragraph, is hardwired.”.
(c) SUPPORTIVE HOUSING FOR PERSONS WITH DISABILITIES.—Section 811(j) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(j)) is amended by adding at the end the following:

“(8) QUALIFYING SMOKE DETECTORS.—

“(A) IN GENERAL.—Each dwelling unit assisted under this section shall contain qualifying smoke detectors that are installed in accordance with the requirements of the National Fire Protection Association Standard 72 or any successor standard in each level and in or near each sleeping area in such dwelling unit, including in basements but excepting crawl spaces and unfinished attics, and in each common area in a project containing such a dwelling unit.

“(B) DEFINITIONS.—For purposes of this paragraph, the following definitions shall apply:

“(i) SMOKE DETECTOR DEFINED.—The term ‘smoke detector’ has the meaning given such term in section 29(d) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2225(d)).

“(ii) QUALIFYING SMOKE DETECTOR DEFINED.—The term ‘qualifying smoke detector’ means a smoke detector that—
“(I) in the case of a dwelling unit built before the date of the enactment of this paragraph and not substantially rehabilitated after the date of this paragraph is—

“(aa) hardwired; or

“(bb) uses 10-year lithium batteries; and—

“(AA) is sealed

“(BB) is tamper resistant;

“(CC) contains hush features; and

“(DD) has an alarm system designed for hearing-impaired persons as specified in National Fire Protection Association Standard 72 or any successor standard; or

“(II) in the case of a dwelling unit built or substantially rehabilitated after the date of the enactment of this paragraph, is hardwired.”.
(d) Housing Opportunities for Persons With AIDS.—Section 856 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12905) is amended by adding at the end the following new subsection:

“(i) Qualifying Smoke Detectors.—

“(1) In general.—Each dwelling unit assisted under this subtitle shall contain qualifying smoke detectors that are installed in accordance with the requirements of the National Fire Protection Association Standard 72 or any successor standard in each level and in or near each sleeping area in such dwelling unit, including in basements but excepting crawl spaces and unfinished attics, and in each common area in a project containing such a dwelling unit.

“(2) Definitions.—For purposes of this subsection, the following definitions shall apply:

“(A) Smoke detector defined.—The term ‘smoke detector’ has the meaning given such term in section 29(d) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2225(d)).

“(B) Qualifying smoke detector defined.—The term ‘qualifying smoke detector’ means a smoke detector that—
“(i) in the case of a dwelling unit built before the date of the enactment of this paragraph and not substantially rehabilitated after the date of this paragraph is—

“(I) hardwired; or

“(II) uses 10-year lithium batteries; and—

“(aa) is sealed

“(bb) is tamper resistant;

“(cc) contains hush features;

and

“(dd) has an alarm system designed for hearing-impaired persons as specified in National Fire Protection Association Standard 72 or any successor standard; or

“(ii) in the case of a dwelling unit built or substantially rehabilitated after the date of the enactment of this paragraph, is hardwired.”.

(e) RURAL HOUSING.—Title V of the Housing Act of 1949 (42 U.S.C. 1471 et seq.) is amended—
(1) in section 514 (42 U.S.C. 1484), by adding at the end the following:

“(j) QUALIFYING SMOKE DETECTORS.—

“(1) IN GENERAL.—Housing and related facilities constructed with loans under this section shall contain qualifying smoke detectors that are installed in accordance with the requirements of the National Fire Protection Association Standard 72 or any successor standard in each level and in or near each sleeping area in such dwelling unit, including in basements but excepting crawl spaces and unfinished attics, and in each common area in a project containing such a dwelling unit.

“(2) DEFINITIONS.—For purposes of this subsection, the following definitions shall apply:

“(A) SMOKE DETECTOR DEFINED.—The term ‘smoke detector’ has the meaning given such term in section 29(d) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2225(d)).

“(B) QUALIFYING SMOKE DETECTOR DEFINED.—The term ‘qualifying smoke detector’ means a smoke detector that—

“(i) in the case of a dwelling unit built before the date of the enactment of
this paragraph and not substantially rehabilitated after the date of this paragraph is—

“(I) hardwired; or

“(II) uses 10-year lithium batteries; and—

“(aa) is sealed
“(bb) is tamper resistant;
“(cc) contains hush features;

and

“(dd) has an alarm system designed for hearing-impaired persons as specified in National Fire Protection Association Standard 72 or any successor standard; or

“(ii) in the case of a dwelling unit built or substantially rehabilitated after the date of the enactment of this paragraph, is hardwired.”; and

(2) in section 515(m) (42 U.S.C. 1485(m)) by adding at the end the following:

“(3) QUALIFYING SMOKE DETECTORS.—

“(A) IN GENERAL.—Housing and related facilities rehabilitated or repaired with amounts
received under a loan made or insured under
this section shall contain qualifying smoke de-
tectors that are installed in accordance with the
requirements of the National Fire Protection
Association Standard 72 or any successor
standard in each level and in or near each
sleeping area in such dwelling unit, including in
basements but excepting crawl spaces and un-
finished attics, and in each common area in a
project containing such a dwelling unit.

“(B) DEFINITIONS.—For purposes of this
paragraph, the following definitions shall apply:

“(i) SMOKE DETECTOR DEFINED.—
The term ‘smoke detector’ has the mean-
ing given such term in section 29(d) of the
Federal Fire Prevention and Control Act
of 1974 (15 U.S.C. 2225(d)).

“(ii) QUALIFYING SMOKE DETECTOR
DEFINED.—The term ‘qualifying smoke de-
tector’ means a smoke detector that—

“(I) in the case of a dwelling unit
built before the date of the enactment
of this paragraph and not substan-
tially rehabilitated after the date of
this paragraph is—
“(aa) hardwired; or

“(bb) uses 10-year lithium batteries; and—

“(AA) is sealed

“(BB) is tamper resistant;

“(CC) contains hush features; and

“(DD) has an alarm system designed for hearing-impaired persons as specified in National Fire Protection Association Standard 72 or any successor standard; or

“(II) in the case of a dwelling unit built or substantially rehabilitated after the date of the enactment of this paragraph, is hardwired.”.

(f) Farm Labor Housing Direct Loans & Grants.—Section 516 of the Housing Act of 1949 (42 U.S.C. 1486) is amended—

(1) in subsection (c)—

(A) in paragraph (2), by striking “and” at the end;
(B) in paragraph (3), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(4) that such housing shall contain qualifying smoke detectors that are installed in accordance with the requirements of the National Fire Protection Association Standard 72 or any successor standard in each level and in or near each sleeping area in such dwelling unit, including in basements but excepting crawl spaces and unfinished attics, and in each common area in a project containing such a dwelling unit.”; and

(2) in subsection (g)—

(A) in paragraph (3) by striking “and” at the end;

(B) in paragraph (4), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(4) the term ‘smoke detector’ has the meaning given such term in section 29(d) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2225(d)); and

“(5) the term ‘qualifying smoke detector’ means a smoke detector that—
“(A) in the case of a dwelling unit built before the date of the enactment of this paragraph and not substantially rehabilitated after the date of this paragraph is—

“(i) hardwired; or

“(ii) uses 10-year lithium batteries;

and—

“(I) is sealed

“(II) is tamper resistant;

“(III) contains hush features;

and

“(IV) has an alarm system designed for hearing-impaired persons as specified in National Fire Protection Association Standard 72 or any successor standard; or

“(B) in the case of a dwelling unit built or substantially rehabilitated after the date of the enactment of this paragraph, is hardwired.”.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the amendments made by this section such sums as are necessary for each of fiscal years 2022 through 2026.
(h) **Effective Date.**—The amendments made by subsections (a) through (f) shall take effect on the date that is 2 years after the date of enactment of this Act.

(i) **No Preemption.**—Nothing in the amendments made by this section shall be construed to preempt or limit the applicability of any State or local law relating to the installation and maintenance of smoke detectors in housing that requires standards that are more stringent than the standards described in the amendments made by this section.

**SEC. 3. Fire Safety Educational Program.**

(a) **In General.**—The Secretary of Housing and Urban Development shall, not later than 1 year after the date of the enactment of this Act, complete a national educational campaign that educates the general public about health and safety requirements in housing and how to properly use safety features in housing including, self-closing doors, smoke detectors, and carbon monoxide detectors.

(b) **Authorization of Appropriations.**—There is authorized to be appropriated to the Secretary of Housing and Urban Development to carry out this subsection, $2,000,000 for fiscal year 2023.