H. R. 117

To require qualifying smoke alarms 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 alarms 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 “Public and Federally Assisted Housing Fire Safety Act of 2022”.

SEC. 2. SMOKE ALARMS 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 ALARMS.—

“(A) IN GENERAL.—Each public housing agency shall ensure that a qualifying smoke alarm is installed in accordance with applicable codes and standards published by the International Code Council or the National Fire Protection Association and 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 ALARM DEFINED.—The term ‘smoke alarm’ has the meaning given ‘smoke detector’ in section 29(d) of the

“(ii) QUALIFYING SMOKE ALARM DEFINED.—The term ‘qualifying smoke alarm’ means a smoke alarm 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 non rechargeable, nonreplaceable primary batteries and—

“(AA) is sealed;

“(BB) is tamper resistant;

“(CC) contains silencing means; and

“(DD) provides notification for persons with hearing loss as required by the 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 8 (42 U.S.C. 1437f)—

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

“(l) QUALIFYING SMOKE ALARMS.—

“(1) IN GENERAL.—Each owner of a dwelling unit receiving project-based assistance under this section shall ensure that qualifying smoke alarms are installed in accordance with applicable codes and standards published by the International Code Council or the National Fire Protection Association and 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 ALARM DEFINED.—The term ‘smoke alarm’ has the meaning given ‘smoke
detector’ in section 29(d) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2225(d)).

“(B) QUALIFYING SMOKE ALARM DEFINED.—The term ‘qualifying smoke alarm’ means a smoke alarm 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 non rechargeable, nonreplaceable primary batteries and—

“(aa) is sealed;

“(bb) is tamper resistant;

“(cc) contains silencing means; and

“(dd) provides notification for persons with hearing loss as required by the 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 ALARMS.—

“(A) IN GENERAL.—Each dwelling unit receiving tenant-based assistance or project-based assistance under this subsection shall have a qualifying smoke alarm installed in accordance with applicable codes and standards published by the International Code Council or the National Fire Protection Association and 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 ALARM DEFINED.—The term ‘smoke alarm’ has the meaning given
‘smoke detector’ in section 29(d) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2225(d)).

“(ii) QUALIFYING SMOKE ALARM DEFINED.—The term ‘qualifying smoke alarm’ means a smoke alarm 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 non rechargeable, nonreplaceable primary batteries and—

“(AA) is sealed;

“(BB) is tamper resistant;

“(CC) contains silencing means; and

“(DD) provides notification for persons with hearing loss as required by the National Fire Protection As-
(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 Alarms.**—

“(A) **In General.**—Each owner of a dwelling unit assisted under this section shall ensure that qualifying smoke alarms are installed in accordance with the requirements of applicable codes and standards and 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 ALARM DEFINED.—The term ‘smoke alarm’ has the meaning given ‘smoke detector’ in section 29(d) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2225(d)).

“(ii) QUALIFYING SMOKE ALARM DEFINED.—The term ‘qualifying smoke alarm’ means a smoke alarm 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 non rechargeable, nonreplaceable primary batteries and—

“(AA) is sealed; 

“(BB) is tamper resistant;

“(CC) contains silencing means; and

“(DD) provides notification for persons with hearing loss as required by the
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 ALARMS.—

“(A) IN GENERAL.—Each dwelling unit assisted under this section shall contain qualifying smoke alarms that are installed in accordance with applicable codes and standards published by the International Code Council or the National Fire Protection Association and 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 alarm defined.—The term ‘smoke alarm’ has the meaning given ‘smoke detector’ in section 29(d) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2225(d)).

“(ii) Qualifying smoke alarm defined.—The term ‘qualifying smoke alarm’ means a smoke alarm 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 non rechargeable, nonreplaceable primary batteries and—

“(AA) is sealed;

“(BB) is tamper resistant;

“(CC) contains silencing means; and

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“(DD) provides notification for persons with hearing loss as required by the 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 ALARMS.—

“(1) IN GENERAL.—Each dwelling unit assisted under this subtitle shall contain qualifying smoke alarms that are installed in accordance with applicable codes and standards published by the International Code Council or the National Fire Protection Association and 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 ALARM DEFINED.—The term ‘smoke alarm’ has the meaning given ‘smoke detector’ in section 29(d) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2225(d)).

“(B) QUALIFYING SMOKE ALARM DEFINED.—The term ‘qualifying smoke alarm’ means a smoke alarm 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 non rechargeable, nonreplaceable primary batteries and—

“(aa) is sealed;

“(bb) is tamper resistant;

“(cc) contains silencing means; and
“(dd) provides notification for persons with hearing loss as required by the 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) 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 Alarms.—

“(1) In General.—Housing and related facilities constructed with loans under this section shall contain qualifying smoke alarms that are installed in accordance with applicable codes and standards published by the International Code Council or the National Fire Protection Association and 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 sub-
section, the following definitions shall apply:

“(A) SMOKE ALARM DEFINED.—The term
‘smoke alarm’ has the meaning given ‘smoke
detector’ in section 29(d) of the Federal Fire
2225(d)).

“(B) QUALIFYING SMOKE ALARM DE-
FINED.—The term ‘qualifying smoke alarm’
means a smoke alarm that—

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

“(I) hardwired; or

“(II) uses 10-year non recharge-
able, nonreplaceable primary batteries
and—

“(aa) is sealed;

“(bb) is tamper resistant;

“(cc) contains silencing
means; and
“(dd) provides notification for persons with hearing loss as required by the 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 ALARMS.—

“(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 alarms that are installed in accordance with applicable codes and standards published by the International Code Council or the National Fire Protection Association and 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 ALARM DEFINED.—The term ‘smoke alarm’ has the meaning given ‘smoke detector’ in section 29(d) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2225(d)).

“(ii) QUALIFYING SMOKE ALARM DEFINED.—The term ‘qualifying smoke alarm’ means a smoke alarm 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 non rechargeable, nonreplaceable primary batteries and—

“(AA) is sealed;

“(BB) is tamper resistant;
“(CC) contains silencing means; and

“(DD) provides notification for persons with hearing loss as required by the 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 alarms that are installed in accordance with applicable codes and standards published by the International Code Council or the National Fire
Protection Association and 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 alarm’ has the meaning given ‘smoke detector’ 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 alarm’ means a smoke alarm 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 non rechargeable, nonreplaceable primary batteries and—

“(I) is sealed;
“(II) is tamper resistant;
“(III) contains silencing means;

and

“(IV) provides notification for persons with hearing loss as required by the 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 alarms in housing
that requires standards that are more stringent than the
standards described in the amendments made by this sec-
tion.

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 edu-
cational campaign that educates the general public about
health and safety requirements in housing and how to
properly use safety features in housing including, self-clos-
ing doors, smoke alarms, 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.