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2D SESSION

H. R. 7981

IN THE SENATE OF THE UNITED STATES

JULY 28, 2022

Received; read twice and referred to the Committee on Banking, Housing, and
Urban Affairs

AN ACT

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

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Public and Federally
3 Assisted Housing Fire Safety Act of 2022”.

4 **SEC. 2. SMOKE ALARMS IN FEDERALLY ASSISTED HOUSING.**

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

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

11 “(9) QUALIFYING SMOKE ALARMS.—

12 “(A) IN GENERAL.—Each public housing
13 agency shall ensure that a qualifying smoke
14 alarm is installed in accordance with applicable
15 codes and standards published by the Inter-
16 national Code Council or the National Fire Pro-
17 tection Association and the requirements of the
18 National Fire Protection Association Standard
19 72, or any successor standard, in each level and
20 in or near each sleeping area in any dwelling
21 unit in public housing owned or operated by the
22 public housing agency, including in basements
23 but excepting crawl spaces and unfinished at-
24 tics, and in each common area in a project con-
25 taining such a dwelling unit.

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

3 “(i) SMOKE ALARM DEFINED.—The
4 term ‘smoke alarm’ has the meaning given
5 the term ‘smoke detector’ in section 29(d)
6 of the Federal Fire Prevention and Control
7 Act of 1974 (15 U.S.C. 2225(d)).

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

11 “(I) in the case of a dwelling unit
12 built before the date of enactment of
13 this paragraph and not substantially
14 rehabilitated after the date of enact-
15 ment of this paragraph is—

16 “(aa) hardwired; or

17 “(bb) uses 10-year non re-
18 chargeable, nonreplaceable pri-
19 mary batteries and—

20 “(AA) is sealed;

21 “(BB) is tamper resist-
22 ant;

23 “(CC) contains silene-
24 ing means; and

1 “(DD) provides notifi-
2 cation for persons with hear-
3 ing loss as required by the
4 National Fire Protection As-
5 sociation Standard 72, or
6 any successor standard; or

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

11 (2) in section 8 (42 U.S.C. 1437f)—

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

14 “(I) QUALIFYING SMOKE ALARMS.—

15 “(1) IN GENERAL.—Each owner of a dwelling
16 unit receiving project-based assistance under this
17 section shall ensure that qualifying smoke alarms
18 are installed in accordance with applicable codes and
19 standards published by the International Code Coun-
20 cil or the National Fire Protection Association and
21 the requirements of the National Fire Protection As-
22 sociation Standard 72, or any successor standard, in
23 each level and in or near each sleeping area in such
24 dwelling unit, including in basements but excepting
25 crawl spaces and unfinished attics, and in each com-

1 mon area in a project containing such a dwelling
2 unit.

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

5 “(A) SMOKE ALARM DEFINED.—The term
6 ‘smoke alarm’ has the meaning given the term
7 ‘smoke detector’ in section 29(d) of the Federal
8 Fire Prevention and Control Act of 1974 (15
9 U.S.C. 2225(d)).

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

13 “(i) in the case of a dwelling unit
14 built before the date of enactment of this
15 paragraph and not substantially rehabili-
16 tated after the date of enactment of this
17 paragraph is—

18 “(I) hardwired; or

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

22 “(aa) is sealed;

23 “(bb) is tamper resistant;

24 “(cc) contains silencing
25 means; and

1 “(dd) provides notification
2 for persons with hearing loss as
3 required by the National Fire
4 Protection Association Standard
5 72, or any successor standard; or

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

10 (B) in subsection (o), by adding at the end
11 the following:

12 “(22) QUALIFYING SMOKE ALARMS.—

13 “(A) IN GENERAL.—Each dwelling unit re-
14 ceiving tenant-based assistance or project-based
15 assistance under this subsection shall have a
16 qualifying smoke alarm installed in accordance
17 with applicable codes and standards published
18 by the International Code Council or the Na-
19 tional Fire Protection Association and the re-
20 quirements of the National Fire Protection As-
21 sociation Standard 72, or any successor stand-
22 ard, in each level and in or near each sleeping
23 area in such dwelling unit, including in base-
24 ments but excepting crawl spaces and unfin-

1 ished attics, and in each common area in a
2 project containing such a dwelling unit.

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

5 “(i) SMOKE ALARM DEFINED.—The
6 term ‘smoke alarm’ has the meaning given
7 the term ‘smoke detector’ in section 29(d)
8 of the Federal Fire Prevention and Control
9 Act of 1974 (15 U.S.C. 2225(d)).

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

13 “(I) in the case of a dwelling unit
14 built before the date of enactment of
15 this paragraph and not substantially
16 rehabilitated after the date of enact-
17 ment of this paragraph is—

18 “(aa) hardwired; or

19 “(bb) uses 10-year non re-
20 chargeable, nonreplaceable pri-
21 mary batteries and—

22 “(AA) is sealed;

23 “(BB) is tamper resist-
24 ant;

1 “(CC) contains silenc-
2 ing means; and

3 “(DD) provides notifi-
4 cation for persons with hear-
5 ing loss as required by the
6 National Fire Protection As-
7 sociation Standard 72, or
8 any successor standard; or

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

13 (b) SUPPORTIVE HOUSING FOR THE ELDERLY.—
14 Section 202(j) of the Housing Act of 1959 (12 U.S.C.
15 1701q(j)) is amended by adding at the end the following:

16 “(10) QUALIFYING SMOKE ALARMS.—

17 “(A) IN GENERAL.—Each owner of a
18 dwelling unit assisted under this section shall
19 ensure that qualifying smoke alarms are in-
20 stalled in accordance with the requirements of
21 applicable codes and standards and the Na-
22 tional Fire Protection Association Standard 72,
23 or any successor standard, in each level and in
24 or near each sleeping area in such dwelling
25 unit, including in basements but excepting

1 crawl spaces and unfinished attics, and in each
2 common area in a project containing such a
3 dwelling unit.

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

6 “(i) SMOKE ALARM DEFINED.—The
7 term ‘smoke alarm’ has the meaning given
8 the term ‘smoke detector’ in section 29(d)
9 of the Federal Fire Prevention and Control
10 Act of 1974 (15 U.S.C. 2225(d)).

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

14 “(I) in the case of a dwelling unit
15 built before the date of enactment of
16 this paragraph and not substantially
17 rehabilitated after the date of enact-
18 ment of this paragraph is—

19 “(aa) hardwired; or

20 “(bb) uses 10-year non re-
21 chargeable, nonreplaceable pri-
22 mary batteries and—

23 “(AA) is sealed;

24 “(BB) is tamper resist-
25 ant;

1 “(CC) contains silence-
2 ing means; and

3 “(DD) provides notifi-
4 cation for persons with hear-
5 ing loss as required by the
6 National Fire Protection As-
7 sociation Standard 72, or
8 any successor standard; or

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

13 (c) SUPPORTIVE HOUSING FOR PERSONS WITH DIS-
14 ABILITIES.—Section 811(j) of the Cranston-Gonzalez Na-
15 tional Affordable Housing Act (42 U.S.C. 8013(j)) is
16 amended by adding at the end the following:

17 “(8) QUALIFYING SMOKE ALARMS.—

18 “(A) IN GENERAL.—Each dwelling unit as-
19 sisted under this section shall contain qualifying
20 smoke alarms that are installed in accordance
21 with applicable codes and standards published
22 by the International Code Council or the Na-
23 tional Fire Protection Association and the re-
24 quirements of the National Fire Protection As-
25 sociation Standard 72, or any successor stand-

ard, 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 the term ‘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 enactment of this paragraph and not substantially rehabilitated after the date of enactment of this paragraph is—

“(aa) hardwired; or

“(bb) uses 10-year non rechargeable, nonreplaceable primary batteries and—

“(AA) is sealed;

1 “(BB) is tamper resist-
2 ant;
3 “(CC) contains silenc-
4 ing means; and
5 “(DD) provides notifi-
6 cation for persons with hear-
7 ing loss as required by the
8 National Fire Protection As-
9 sociation Standard 72, or
10 any successor standard; or
11 “(II) in the case of a dwelling
12 unit built or substantially rehabili-
13 tated after the date of enactment of
14 this paragraph, is hardwired.”.

15 (d) HOUSING OPPORTUNITIES FOR PERSONS WITH
16 AIDS.—Section 856 of the Cranston-Gonzalez National
17 Affordable Housing Act (42 U.S.C. 12905) is amended by
18 adding at the end the following new subsection:

19 “(j) QUALIFYING SMOKE ALARMS.—

20 “(1) IN GENERAL.—Each dwelling unit assisted
21 under this subtitle shall contain qualifying smoke
22 alarms that are installed in accordance with applica-
23 ble codes and standards published by the Inter-
24 national Code Council or the National Fire Protec-
25 tion Association and the requirements of the Na-

1 tional Fire Protection Association Standard 72, or
2 any successor standard, in each level and in or near
3 each sleeping area in such dwelling unit, including in
4 basements but excepting crawl spaces and unfinished
5 attics, and in each common area in a project con-
6 taining such a dwelling unit.

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

9 “(A) SMOKE ALARM DEFINED.—The term
10 ‘smoke alarm’ has the meaning given the term
11 ‘smoke detector’ in section 29(d) of the Federal
12 Fire Prevention and Control Act of 1974 (15
13 U.S.C. 2225(d)).

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

17 “(i) in the case of a dwelling unit
18 built before the date of enactment of this
19 subsection and not substantially rehabili-
20 tated after the date of enactment of this
21 subsection is—

22 “(I) hardwired; or

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

1 “(aa) is sealed;
2 “(bb) is tamper resistant;
3 “(cc) contains silencing
4 means; and
5 “(dd) provides notification
6 for persons with hearing loss as
7 required by the National Fire
8 Protection Association Standard
9 72, or any successor standard; or
10 “(ii) in the case of a dwelling unit
11 built or substantially rehabilitated after the
12 date of enactment of this subsection, is
13 hardwired.”.

14 (e) RURAL HOUSING.—Title V of the Housing Act
15 of 1949 (42 U.S.C. 1471 et seq.) is amended—

16 (1) in section 514 (42 U.S.C. 1484), by adding
17 at the end the following:

18 “(k) QUALIFYING SMOKE ALARMS.—

19 “(1) IN GENERAL.—Housing and related facili-
20 ties constructed with loans under this section shall
21 contain qualifying smoke alarms that are installed in
22 accordance with applicable codes and standards pub-
23 lished by the International Code Council or the Na-
24 tional Fire Protection Association and the require-
25 ments of the National Fire Protection Association

1 Standard 72, or any successor standard, in each
2 level and in or near each sleeping area in such dwell-
3 ing unit, including in basements but excepting crawl
4 spaces and unfinished attics, and in each common
5 area in a project containing such a dwelling unit.

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

8 “(A) SMOKE ALARM DEFINED.—The term
9 ‘smoke alarm’ has the meaning given the term
10 ‘smoke detector’ in section 29(d) of the Federal
11 Fire Prevention and Control Act of 1974 (15
12 U.S.C. 2225(d)).

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

16 “(i) in the case of a dwelling unit
17 built before the date of enactment of this
18 subsection and not substantially rehabili-
19 tated after the date enactment of this sub-
20 section is—

21 “(I) hardwired; or

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

25 “(aa) is sealed;

1 “(bb) is tamper resistant;
2 “(cc) contains silencing
3 means; and
4 “(dd) provides notification
5 for persons with hearing loss as
6 required by the National Fire
7 Protection Association Standard
8 72, or any successor standard; or
9 “(ii) in the case of a dwelling unit
10 built or substantially rehabilitated after the
11 date of enactment of this subsection, is
12 hardwired.”; and

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

15 “(3) QUALIFYING SMOKE ALARMS.—

16 “(A) IN GENERAL.—Housing and related facili-
17 ties rehabilitated or repaired with amounts received
18 under a loan made or insured under this section
19 shall contain qualifying smoke alarms that are in-
20 stalled in accordance with applicable codes and
21 standards published by the International Code Coun-
22 cil or the National Fire Protection Association and
23 the requirements of the National Fire Protection As-
24 sociation Standard 72, or any successor standard, in
25 each level and in or near each sleeping area in such

1 dwelling unit, including in basements but excepting
2 crawl spaces and unfinished attics, and in each com-
3 mon area in a project containing such a dwelling
4 unit.

5 “(B) DEFINITIONS.—For purposes of this para-
6 graph, the following definitions shall apply:

7 “(i) SMOKE ALARM DEFINED.—The term
8 ‘smoke alarm’ has the meaning given the term
9 ‘smoke detector’ in section 29(d) of the Federal
10 Fire Prevention and Control Act of 1974 (15
11 U.S.C. 2225(d)).

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

15 “(I) in the case of a dwelling unit
16 built before the date of enactment of this
17 paragraph and not substantially rehabili-
18 tated after the date of enactment of this
19 paragraph is—

20 “(aa) hardwired; or

21 “(bb) uses 10-year non recharge-
22 able, nonreplaceable primary batteries
23 and—

24 “(AA) is sealed;

25 “(BB) is tamper resistant;

1 “(CC) contains silencing
2 means; and

3 “(DD) provides notification
4 for persons with hearing loss as
5 required by the National Fire
6 Protection Association Standard
7 72, or any successor standard; or

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

12 (f) FARM LABOR HOUSING DIRECT LOANS &
13 GRANTS.—Section 516 of the Housing Act of 1949 (42
14 U.S.C. 1486) is amended—

15 (1) in subsection (c)—

16 (A) in paragraph (2), by striking “and” at
17 the end;

18 (B) in paragraph (3), by striking the pe-
19 riod at the end and inserting “; and”; and

20 (C) by adding at the end the following:

21 “(4) that such housing shall contain qualifying
22 smoke alarms that are installed in accordance with
23 applicable codes and standards published by the
24 International Code Council or the National Fire
25 Protection Association and the requirements of the

1 National Fire Protection Association Standard 72,
2 or any successor standard, in each level and in or
3 near each sleeping area in such dwelling unit, in-
4 cluding in basements but excepting crawl spaces and
5 unfinished attics, and in each common area in a
6 project containing such a dwelling unit.”; and

7 (2) in subsection (g)—

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

10 (B) in paragraph (4), by striking the pe-
11 riod at the end and inserting a semicolon; and

12 (C) by adding at the end the following:

13 “(5) the term ‘smoke alarm’ has the meaning
14 given the term ‘smoke detector’ in section 29(d) of
15 the Federal Fire Prevention and Control Act of
16 1974 (15 U.S.C. 2225(d)); and

17 “(6) the term ‘qualifying smoke alarm’ means
18 a smoke alarm that—

19 “(A) in the case of a dwelling unit built be-
20 fore the date of enactment of this paragraph
21 and not substantially rehabilitated after the
22 date of enactment of this paragraph is—

23 “(i) hardwired; or

24 “(ii) uses 10-year non rechargeable,
25 nonreplaceable primary batteries and—

1 “(I) is sealed;
2 “(II) is tamper resistant;
3 “(III) contains silencing means;
4 and
5 “(IV) provides notification for
6 persons with hearing loss as required
7 by the National Fire Protection Asso-
8 ciation Standard 72, or any successor
9 standard; or

10 “(B) in the case of a dwelling unit built or
11 substantially rehabilitated after the date of en-
12 actment of this paragraph, is hardwired.”.

13 (g) AUTHORIZATION OF APPROPRIATIONS.—There is
14 authorized to be appropriated to carry out the amend-
15 ments made by this section such sums as are necessary
16 for each of fiscal years 2023 through 2027.

17 (h) EFFECTIVE DATE.—The amendments made by
18 subsections (a) through (f) shall take effect on the date
19 that is 2 years after the date of enactment of this Act.

20 (i) NO PREEMPTION.—Nothing in the amendments
21 made by this section shall be construed to preempt or limit
22 the applicability of any State or local law relating to the
23 installation and maintenance of smoke alarms in housing
24 that requires standards that are more stringent than the

1 standards described in the amendments made by this sec-
2 tion.

3 **SEC. 3. FIRE SAFETY EDUCATIONAL PROGRAM.**

4 (a) IN GENERAL.—The Secretary of Housing and
5 Urban Development shall, not later than 1 year after the
6 date of enactment of this Act, complete a national edu-
7 cational campaign that educates the general public about
8 health and safety requirements in housing and how to
9 properly use safety features in housing, including self-clos-
10 ing doors, smoke alarms, and carbon monoxide detectors.

11 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
12 authorized to be appropriated to the Secretary of Housing
13 and Urban Development to carry out this section,
14 \$2,000,000 for fiscal year 2024.

Passed the House of Representatives July 27, 2022.

Attest: CHERYL L. JOHNSON,
Clerk.