

# Senate Bill 1017

Sponsored by COMMITTEE ON EDUCATION

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires State Fire Marshal to adopt rules establishing minimum standards for carbon monoxide alarms in school facilities that have carbon monoxide source.

Directs State Fire Marshal to adopt rules no later than January 1, 2020. Requires school districts and public charter schools to comply with rules no later than July 1, 2020. Allows State Fire Marshal to give extensions for compliance.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to carbon monoxide alarms in school facilities; creating new provisions; amending ORS  
3 332.331; and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

### **SECTION 1. (1) As used in this section:**

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6 (a) "Carbon monoxide alarm" has the meaning given that term in ORS 105.836.

7 (b) "Carbon monoxide source" has the meaning given that term in ORS 105.836.

8 (c) "School facilities" means facilities that are owned or leased by a school district or a  
9 public charter school and that have students or staff present on a regular basis.

10 (2) The State Fire Marshal shall adopt rules establishing minimum standards for carbon  
11 monoxide alarms in school facilities that have a carbon monoxide source.

12 (3) Rules adopted under this section shall include standards for the placement and lo-  
13 cation of carbon monoxide alarms in school facilities that:

14 (a) Have a carbon monoxide source; and

15 (b) Were not subject to state building code requirements for carbon monoxide alarm  
16 placement or location at the time of construction.

17 (4) In adopting rules under this section, the State Fire Marshal shall give consideration  
18 to state building code requirements and any standards adopted by national safety organiza-  
19 tions.

### **SECTION 2. (1) Section 1 of this 2019 Act becomes operative on January 1, 2020.**

21 (2) The State Fire Marshal shall take any action before January 1, 2020, that is necessary  
22 for the State Fire Marshal to exercise all of the duties, functions and powers conferred on  
23 the State Fire Marshal by section 1 of this 2019 Act.

24 (3) No later than January 1, 2020, the State Fire Marshal shall adopt rules as required  
25 by section 1 of this 2019 Act. The rules must:

26 (a) Require school districts and public charter schools to comply with the rules no later  
27 than July 1, 2020.

28 (b) Allow the State Fire Marshal to provide to a school district or a public charter school  
29 an extension:

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1       **(A) On a case-by-case basis; and**

2       **(B) For reasonable cause.**

3       **SECTION 3.** ORS 332.331 is amended to read:

4       332.331. (1) A school district, education service district or public charter school shall develop  
5 and adopt a plan, to be known as the Healthy and Safe Schools Plan, for the district or school. The  
6 plan must address environmental conditions at the facilities owned or leased by the district or  
7 school where students or staff are present on a regular basis. The Department of Education, in  
8 consultation with the Oregon Health Authority, the Department of Environmental Quality and other  
9 interested stakeholders, shall develop and adopt a model plan to provide guidance to the districts  
10 and schools in developing and adopting plans under this section.

11       (2) A school district, education service district or public charter school shall provide a copy of  
12 a plan developed and adopted under this section to the Department of Education. The district or  
13 school shall annually review the plan. If the information contained in a plan has changed since the  
14 preceding annual review due to the acquisition or remodeling of a facility, the termination of regular  
15 use of the facility by students and staff or a modification in the method, location, scope, frequency  
16 or other aspects of addressing environmental conditions, the district or school shall revise the plan  
17 as necessary to address the change in information and provide a copy of the revised plan to the  
18 department.

19       (3) A plan developed and adopted under this section must, at a minimum, include the following:

20       (a) The identification of, and contact information for, a position within the administration of the  
21 school district, education service district or public charter school having responsibility for main-  
22 taining and overseeing performance of the plan.

23       (b) A list of all facilities of the school district, education service district or public charter school  
24 that are subject to the plan.

25       (c) Provisions regarding testing for, and reducing exposure to, elevated levels of lead in water  
26 used for drinking or food preparation as required under guidelines adopted by the authority.

27       (d) Provisions consistent with the United States Environmental Protection Agency Renovation,  
28 Repair and Painting Rule set forth in 40 C.F.R. section 745 regarding testing for, and reducing ex-  
29 posure to, lead-based paint.

30       (e) Provisions consistent with federal law regarding testing for, and reducing exposure to,  
31 asbestos.

32       (f) Provisions consistent with ORS 332.345 regarding testing for, and reducing exposure to, ele-  
33 vated levels of radon.

34       (g) Provisions for carrying out integrated pest management as provided under ORS 634.700 to  
35 634.750.

36       (h) Provisions for installing carbon monoxide detection devices in proximity to fuel burning ap-  
37 pliances that emit carbon monoxide, [*if installation is required under the state building code*] **as**  
38 **provided by the state building code or rules adopted by the State Fire Marshal under section**  
39 **1 of this 2019 Act.**

40       (4) A plan described in subsection (3) of this section must provide for any laboratory analysis  
41 on test samples to be carried out by a laboratory having a type and level of accreditation recognized  
42 as appropriate by the authority.

43       (5) The authority, in consultation with the department, school districts, education service dis-  
44 tricts, public charter schools and other interested stakeholders, may provide districts and schools  
45 with recommendations regarding evidence-based practices for the reduction of environmental condi-

1 tions not addressed in subsection (3) of this section that may present health concerns if present in  
2 district or school facilities. The recommendations may include, but need not be limited to, recom-  
3 mendations regarding:

4 (a) Methods for limiting or reducing exposure to high levels of diesel engine exhaust; and

5 (b) Identification of mold, including but not limited to advice regarding how to recognize the  
6 presence of mold.

7 (6) The authority shall develop information sheets for use by school districts, education service  
8 districts and public charter schools to inform staff, students, parents of minor students and other  
9 interested stakeholders about substances that may present health concerns if present in district or  
10 school facilities.

11 (7) The department, in consultation with the authority, representatives of school districts, edu-  
12 cation service districts and public charter schools and other interested stakeholders, shall make  
13 opportunities for professional development available to district and school staff regarding plan re-  
14 quirements under this section and the provision of information as required under ORS 332.334.

15 **SECTION 4. The amendments to ORS 332.331 by section 3 of this 2019 Act become oper-**  
16 **ative on July 1, 2020.**

17 **SECTION 5. This 2019 Act being necessary for the immediate ] preservation of the public**  
18 **peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect**  
19 **on its passage.**

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