

AMENDED IN ASSEMBLY MARCH 11, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 56**

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**Introduced by Assembly Member Weber**  
*(Coauthors: Assembly Members Ammiano, Brown, Holden, and  
Maienschein)*  
*(Coauthor: Senator Cannella)*

January 7, 2013

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An act to add Article 7 (commencing with Section 32080) to Chapter 1 of Part 19 of Division 1 of Title 1 of the Education Code, relating to school facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 56, as amended, Weber. School facilities: carbon monoxide devices.

Existing law, the Leroy F. Greene School Facilities Act of 1998, requires certain new school facilities construction projects that require the approval of the Department of General Services, as specified, to include an automatic fire detection, alarm, and sprinkler system. The act also requires certain modernization projects that require the approval of the department to include an automatic fire detection and alarm system, as specified.

Existing law requires an owner of a dwelling unit intended for human occupancy to install a carbon monoxide device, as specified, in each existing dwelling unit having a fossil fuel burning heater or appliance, a fireplace, or an attached garage.

This bill would require any private or public school building used for educational purposes for kindergarten or any of grades 1 to 12, inclusive, that is built or modernized on or after January 1, 2014, and that has a

furnace located inside the school building to have a carbon monoxide device. The bill would require that the carbon monoxide device be installed in close proximity to each furnace located within the school building.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

3 (a) (1) Carbon monoxide is an odorless, colorless gas produced  
4 when fuel, such as gas, oil, kerosene, wood, or charcoal, is burned.  
5 Carbon monoxide can cause harmful health effects by reducing  
6 the delivery of oxygen to the body’s organs, such as the heart,  
7 brain, and tissues. The most common symptoms of carbon  
8 monoxide poisoning are headaches, dizziness, weakness, nausea,  
9 vomiting, chest pain, and confusion. Long-term breathing of carbon  
10 monoxide can affect the memory, brain function, behavior, and  
11 cognition. According to the American Medical Association, carbon  
12 monoxide is the leading cause of accidental poisoning deaths in  
13 the United States. Gas furnaces and other fuel-burning appliances  
14 are common sources of carbon monoxide poisoning.

15 (2) The federal Centers for Disease Control and Prevention  
16 estimate that each year more than 400 Americans die from  
17 unintentional carbon monoxide poisoning, more than 20,000 visit  
18 the emergency room, and more than 4,000 are hospitalized due to  
19 carbon monoxide poisoning. According to the United States  
20 Environmental Protection Agency, a person cannot see or smell  
21 carbon monoxide. At high levels, carbon monoxide can kill a  
22 person in minutes.

23 (3) The State Air Resources Board estimates that every year  
24 carbon monoxide accounts for between 30 and 40 avoidable deaths,  
25 possibly thousands of avoidable illnesses, and between 175 and  
26 700 avoidable emergency room and hospital visits.

27 (4) There are well-documented chronic health effects of acute  
28 carbon monoxide poisoning and prolonged exposure to carbon  
29 monoxide, including, but not limited to, lethargy, headaches,  
30 concentration problems, amnesia, psychosis, Parkinson’s disease,  
31 memory impairment, and personality alterations.

1     **(b)** *In an analysis conducted by the National Fire Protection*  
2 *Association of nonfire carbon monoxide incidents reported for the*  
3 *year 2005, 250 carbon monoxide incidents were reported*  
4 *nationwide in educational facilities. Of these, 150 incidents*  
5 *occurred in school buildings used for preschool, kindergarten, or*  
6 *grades 1 to 12, inclusive.*

7     ~~(b)~~

8     **(c)** (1) On December 3, 2012, Finch Elementary School in  
9 ~~Atlanta~~ Atlanta, Georgia, was evacuated after firefighters  
10 discovered a carbon monoxide leak from the school’s furnace.  
11 Firefighters responded to the school after reports came in that  
12 people at the school were unconscious. Although no one was found  
13 unconscious, firefighters found people sickened and, in total, 43  
14 students and 10 adults were taken to the local hospital.

15     (2) The firefighters detected high and unsafe levels of carbon  
16 monoxide near a furnace, and detected up to 1,700 parts per million  
17 of carbon monoxide in other areas, a very high level of the gas.

18     (3) The State of Georgia did not require school facilities to have,  
19 and Finch Elementary School did not have, carbon monoxide  
20 detectors. Two states, Maryland and Connecticut, have passed  
21 legislation requiring carbon monoxide detectors in school facilities.

22     ~~(e)~~

23     **(d)** Senate Bill 183 of the 2009–10 Regular Session (Chapter  
24 19 of the Statutes of 2010) requires a dwelling unit that is intended  
25 for human occupancy and that has a fossil fuel burning heater or  
26 appliance, a fireplace, or an attached garage to have a carbon  
27 monoxide alarm, as specified.

28     ~~(d) Carbon~~

29     **(e)** *Because carbon monoxide affects individuals differently and*  
30 *symptoms of exposure can mimic symptoms of common ailments*  
31 *such as the influenza virus, it is difficult to quantify the exact*  
32 *number of carbon monoxide incidents in school buildings and it*  
33 *is highly probable that the number of carbon monoxide incidents*  
34 *is underreported. Additionally, the number of carbon monoxide*  
35 *incidents in schools will likely rise in future years as school*  
36 *buildings and their infrastructure become outdated over time.*  
37 *Carbon monoxide devices provide a vital, highly effective, and*  
38 *low-cost protection against carbon monoxide poisoning and these*  
39 *devices should be made available to every school in California to*

1 help prevent students from being exposed to the effects of carbon  
2 monoxide.

3 SEC. 2. Article 7 (commencing with Section 32080) is added  
4 to Chapter 1 of Part 19 of Division 1 of Title 1 of the Education  
5 Code, to read:

6

7

Article 7. Carbon Monoxide Devices

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9 32080. (a) ~~Except as provided in subdivision (b), any~~ A private  
10 or public school building that is used for educational purposes for  
11 kindergarten or any of grades 1 to 12, inclusive, that is built or  
12 modernized on or after January 1, 2014, and that has a furnace  
13 located inside the school building shall have a carbon monoxide  
14 device, as defined in Section 13262 of the Health and Safety Code,  
15 installed in that building.

16 ~~(b) This article shall not apply to a private or public school~~  
17 ~~building that has completed construction or modernization prior~~  
18 ~~to January 1, 2014.~~

19

(e)

20 (b) A private or public school used for educational purposes for  
21 kindergarten or any of grades 1 to 12, inclusive, that has a furnace  
22 located inside the school building, and that was built or modernized  
23 prior to January 1, 2014, is encouraged to have a carbon monoxide  
24 device installed in the building.

25 32085. A carbon monoxide device installed pursuant to Section  
26 32080 shall be installed in close proximity to each furnace located  
27 within the public or private school building so that the device can  
28 accurately detect the leakage of carbon monoxide.