



# House of Representatives

General Assembly

**File No. 469**

*January Session, 2003*

House Bill No. 5660

*House of Representatives, April 22, 2003*

The Committee on Government Administration and Elections reported through REP. O'ROURKE of the 32nd Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

## **AN ACT CONCERNING PUBLIC ACCESS TO BUILDING CONSTRUCTION PLANS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (e) of section 29-261 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2003*):

4 (e) Notwithstanding any provision of the Freedom of Information  
5 Act, as defined in section 1-200, or the State Building Code, any plan  
6 for a single-family dwelling submitted for review pursuant to section  
7 29-263 shall not be disclosed to any person except (1) the owner of such  
8 plan, or the owner of the dwelling represented in the plan; (2) an  
9 authorized agent of such owner; (3) a building official or local fire  
10 marshal who is responsible for reviewing such plan or enforcing the  
11 State Building Code or the State Fire Safety Code with respect to such  
12 dwelling; or (4) a law enforcement agency. Notwithstanding any

13 provision of the Freedom of Information Act, as defined in section 1-  
14 200, or the State Building Code, [to the contrary,] the building official  
15 shall return plans and specifications on file at the time of the request  
16 for the issuance of a certificate of occupancy for any single-family  
17 dwelling or out-building to the owner of such dwelling or building no  
18 earlier than two years after the issuance of the certificate of occupancy.

This act shall take effect as follows:	
Section 1	October 1, 2003

**GAE**      *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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***OFA Fiscal Note***

***State Impact:*** None

Municipal Impact: None

**OLR Bill Analysis**

HB 5660

**AN ACT CONCERNING PUBLIC ACCESS TO BUILDING CONSTRUCTION PLANS****SUMMARY:**

This bill limits the people who may have access to plans for the construction or alteration of a single-family dwelling included in applications for building permits. Under the bill, plans may be disclosed only to (1) their owner or the owner of the home represented therein, (2) the owner's authorized agent, (3) the building official or local fire marshal responsible for reviewing the plans for compliance with the State Building Code or the State Fire Safety Code, or (4) law enforcement agencies.

By law, a building permit is required for most construction (and major alterations), other than the construction of certain state buildings. Under current law, these plans are public records while in the possession of the building official and subject to disclosure under the Freedom of Information Act. The building official must return the plans and any specifications to homeowners who ask for a certificate of occupancy, but not until two years later, at the earliest.

EFFECTIVE DATE: October 1, 2003

**COMMITTEE ACTION**

Government Administration and Elections Committee

Joint Favorable Report

Yea 16 Nay 3