



General Assembly

January Session, 2007

**Raised Bill No. 7115**

LCO No. 3790

\*03790 \_\_\_\_\_ PS\_\*

Referred to Committee on Public Safety and Security

Introduced by:

(PS)

***AN ACT CONCERNING THE OFFICE OF THE STATE FIRE MARSHAL.***

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

1 Section 1. Section 29-291a of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2007*):

3 (a) The State Fire Marshal, in coordination with the advisory  
4 committee established under subsection (b) of this section, shall adopt  
5 and administer a state Fire Prevention Code based on a nationally  
6 recognized fire prevention code. Said code shall be used to enhance the  
7 enforcement capabilities of local fire marshals and for the purposes of  
8 prevention of fire and other related emergencies. Said code shall be  
9 adopted not later than [January 1, 2005] October 1, 2008, and shall be  
10 revised thereafter as deemed necessary to incorporate any subsequent  
11 revisions to the code not later than eighteen months following the date  
12 of first publication of such revisions.

13 (b) There is established an advisory committee consisting of nine  
14 persons appointed by the State Fire Marshal. The State Fire Marshal

15 shall appoint two members selected from a list of individuals  
16 submitted by the Codes and Standards Committee from the  
17 membership of said committee and seven members representing local  
18 fire marshals, deputy fire marshals and fire inspectors selected from a  
19 list of individuals submitted by the Connecticut Fire Marshals  
20 Association.

21 Sec. 2. Subsection (a) of section 29-298 of the general statutes is  
22 repealed and the following is substituted in lieu thereof (*Effective*  
23 *October 1, 2007*):

24 (a) The State Fire Marshal and the Codes and Standards Committee,  
25 acting jointly shall adopt minimum standards of qualification for local  
26 fire marshals, deputy fire marshals, fire inspectors and such other  
27 classes of inspectors and investigators as they deem necessary. The  
28 State Fire Marshal and the Codes and Standards Committee shall (1)  
29 prepare and conduct oral, written or practical examinations to  
30 determine if a person is qualified and eligible to be certified or (2)  
31 accept successful completion of programs of training developed by  
32 public agencies and approved by him as proof of qualification for  
33 certification eligibility or (3) prepare and conduct a training program,  
34 the successful completion of which shall qualify a person to be  
35 certified. Upon determination of the qualification of a local fire official  
36 under subdivision (1), (2) or (3), the State Fire Marshal and the Codes  
37 and Standards Committee shall issue or cause to be issued a certificate  
38 to such person stating that he is eligible to be certified. The State Fire  
39 Marshal and the Codes and Standards Committee shall establish  
40 classes of certification that will recognize the varying involvements of  
41 such local fire officials. Local fire marshals, deputy fire marshals, fire  
42 inspectors and other inspectors or investigators holding office in any  
43 municipality shall be certified in accordance with subdivision (1), (2) or  
44 (3). On or after October 1, 1979, no local fire marshal, deputy fire  
45 marshal, fire inspector or other inspector or investigator shall be  
46 appointed or hired unless such person is certified and any such person  
47 shall be removed from office if he fails to maintain his certification. The

48 State Fire Marshal and the Codes and Standards Committee shall  
49 conduct educational programs designed to assist such local fire  
50 officials in carrying out the duties and responsibilities of their office.  
51 Such educational programs for local fire marshals, deputy fire  
52 marshals and fire inspectors shall be in addition to the programs  
53 specified under subdivisions (2) and (3) of this subsection and shall  
54 consist of not less than ninety hours of training over a three-year  
55 period. The State Fire Marshal and the Codes and Standards  
56 Committee shall establish the minimum hours of training for the other  
57 classes of inspectors and investigators, which shall recognize the  
58 varying involvements of such officials. Each local fire official shall  
59 attend such training programs or other approved programs of training  
60 and present proof of successful completion to the State Fire Marshal.  
61 The State Fire Marshal may, after notice and opportunity for hearing,  
62 revoke any certificate issued under the provisions of this subsection for  
63 failure on the part of a local fire official to present such proof. Any  
64 appointed local fire marshal, deputy fire marshal or other inspector or  
65 investigator who wishes to retire his or her certificate may apply to the  
66 State Fire Marshal and the Codes and Standards Committee to have  
67 such certificate retired and be issued a certificate of emeritus. Such  
68 retired local fire official may no longer hold himself or herself out as a  
69 certified local fire official.

70 Sec. 3. Section 29-303 of the general statutes is repealed and the  
71 following is substituted in lieu thereof (*Effective October 1, 2007*):

72 The fire chief [of] or local fire marshal with jurisdiction over a town,  
73 city, borough or fire district, [within five days of the occurrence of any  
74 fire or explosion within his jurisdiction, shall furnish the local fire  
75 marshal, and the local fire marshal, within ten days of such  
76 occurrence,] where a fire, or explosion or other fire emergency occurs  
77 shall furnish the State Fire Marshal [(1) a written report signed by the  
78 local fire marshal] a report of all the facts relating to its cause, its  
79 origin, the kind, the estimated value and ownership of the property  
80 damaged or destroyed, and such other information as [is] called for by

81 the [blank] State Fire Marshal on forms furnished by the State Fire  
82 Marshal, or [(2) a magnetic tape containing the information specified in  
83 subdivision (1) of this section in a] in an electronic format prescribed  
84 by the State Fire Marshal, [accompanied by a written certification  
85 signed by the local fire marshal.] The fire chief or fire marshal may also  
86 submit reports regarding other significant fire department response to  
87 such fire or explosion, and such reports may be filed monthly but  
88 commencing January 1, 2008, such reports may not be filed more often  
89 than quarterly.

90 Sec. 4. Section 29-305 of the general statutes is repealed and the  
91 following is substituted in lieu thereof (*Effective October 1, 2007*):

92 (a) Each local fire marshal and the State Fire Marshal, for the  
93 purpose of satisfying themselves that all pertinent statutes and  
94 regulations are complied with, may inspect in the interests of public  
95 safety all buildings and facilities of public service, all buildings and  
96 facilities used for manufacturing and all occupancies regulated by the  
97 Fire Safety Code within their respective jurisdictions. Each local fire  
98 marshal shall inspect or cause to be inspected, at least once each  
99 calendar year [and as often as may be necessary] or as often as  
100 prescribed by the State Fire Marshal pursuant to subsection (b) of this  
101 section, in the interests of public safety, all buildings and facilities of  
102 public service and all occupancies regulated by the Fire Safety Code  
103 within [his] the local fire marshal's jurisdiction, except residential  
104 buildings designed to be occupied by one or two families which shall  
105 be inspected, upon complaint or request of an owner or occupant, only  
106 for the purpose of determining whether the requirements specified in  
107 said code relative to smoke detection and warning equipment have  
108 been satisfied. Upon receipt by [him] the State Fire Marshal of  
109 information from an authentic source that any other building or facility  
110 within [his] the State Fire Marshal's jurisdiction is hazardous to life  
111 safety from fire, [he] the State Fire Marshal shall inspect such building  
112 or facility. In each case in which the local fire marshal conducts an  
113 inspection, [he] the local fire marshal shall [satisfy himself] be satisfied

114 that all pertinent statutes and regulations are complied with, and shall  
115 keep a record of such investigations. Such local fire marshal or a  
116 designee shall have the right of entry [by himself or by his lawful  
117 agent] at all reasonable hours into or upon any premises within [his]  
118 the local fire marshal's jurisdiction for the performance of [his] the fire  
119 marshal's duties except that occupied dwellings and habitations,  
120 exclusive of common use passageways and rooms in tenement houses,  
121 hotels and rooming houses, may only be entered for inspections  
122 between the hours of [9] 9:00 a.m. and [5] 5:00 p.m., except in the event  
123 of any emergency requiring [his] immediate attention for safety to life,  
124 or in the interests of public safety. Each local fire marshal shall make a  
125 monthly report to the authority [from] which [he received his  
126 appointment,] appointed the local fire marshal and shall be paid for  
127 his or her services in making such inspections of buildings and  
128 facilities the compensation agreed upon with such appointing  
129 authority.

130 (b) The State Fire Marshal may adopt amendments to the Fire Safety  
131 Code regarding requirements for the frequency of inspections of  
132 different building uses regulated by the code and set forth a schedule  
133 of inspections that are less frequent than yearly if the interests of  
134 public safety can be met by less frequent inspections.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2007</i>	29-291a
Sec. 2	<i>October 1, 2007</i>	29-298(a)
Sec. 3	<i>October 1, 2007</i>	29-303
Sec. 4	<i>October 1, 2007</i>	29-305

**Statement of Purpose:**

To expand the type of incidents required to be reported to the State Fire Marshal to include fire emergencies, to allow such reports to be submitted electronically, to allow for voluntary retirement of an appointed fire official's certification and to allow for less frequent inspections by local fire marshals.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*