



General Assembly

Amendment

February Session, 2010

LCO No. 3812

HB0537203812HDO

Offered by:

REP. GREEN, 1st Dist.

SEN. GOMES, 23rd Dist.

To: Subst. House Bill No. 5372

File No. 154

Cal. No. 108

"AN ACT CONCERNING VISITABLE HOUSING."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 29-269 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2010*):

5 (a) The State Building Inspector and the Codes and Standards
6 Committee shall revise the State Building Code to be in substantial
7 compliance with the provisions of the Americans with Disabilities Act
8 of 1990, as amended, 42 USC 12101 and the Fair Housing Amendments
9 Act of 1988, as amended, 42 USC 3600. The provisions of this
10 subsection and the State Building Code as from time to time revised
11 pursuant to this section shall control the design, construction and
12 arrangement of all buildings and building elements, constructed under
13 permits issued on or after October 1, 1975, and all buildings or
14 building elements constructed or substantially renovated by the state,
15 any municipality or any other political subdivision of the state, the

16 architectural design of which was commenced on or after October 1,
17 1977, except buildings which have been approved by the Department
18 of Housing and Urban Development as being in conformance with
19 federal standards for housing for the elderly and physically
20 handicapped and for which a permit was issued prior to June 9, 1976,
21 to ensure accessibility thereto and use by the physically handicapped.

22 (b) Any variation of or exemption from any provision of (1) the State
23 Building Code relating to accessibility to, and use of, buildings and
24 structures by persons with disabilities, (2) subsection (g) of section 14-
25 253a, (3) section 29-273, or (4) section 29-274, shall be permitted only
26 when approved by the State Building Inspector and the director of the
27 Office of Protection and Advocacy for Persons with Disabilities acting
28 jointly. Any person, agent of the state, municipality or any other
29 political subdivision of the state may apply to the State Building
30 Inspector to vary or set aside standards incorporated in the State
31 Building Code pursuant to the provisions of subsection (a) of this
32 section. The State Building Inspector, within seven days of receipt of
33 any such application, shall forward a copy of such application to said
34 director, who shall, within thirty days of receipt, review the
35 application, and acting jointly with the State Building Inspector, render
36 a decision to accept or reject the application in whole or in part. The
37 State Building Inspector and said director may approve a variation of
38 or exemption from any such standard or specification when they
39 jointly determine that it would not be feasible or would unreasonably
40 complicate the construction, alteration or repair in question. Such
41 determination shall be in writing, shall state the reasons therefor and if
42 it sets aside any such standard or specification, a copy of such
43 determination shall be sent to said director. Any person aggrieved by
44 any such decision may appeal to the Codes and Standards Committee
45 within thirty days after such decision has been rendered.

46 (c) Regulations or codes made or amended by authority of this
47 section shall, after a public hearing called for that purpose by the State
48 Building Inspector not less than thirty days before the date of such
49 hearing, be filed by the State Building Inspector with the Secretary of

50 the State in accordance with the provisions of chapter 54 and he shall
51 thereafter make copies available to persons having an interest therein.

52 (d) If any regulation is set aside by a court of competent jurisdiction,
53 such ruling shall affect only the regulation, standard or specification
54 included in the ruling and all other regulations, standards or
55 specifications shall remain in effect.

56 (e) Notwithstanding the provisions of subsection (b) of this section,
57 a variation or exemption from the State Building Code shall not be
58 required to construct visitable features in a residential home. For
59 purposes of this section, "visitable features" means (1) interior
60 doorways that provide a minimum thirty-two inch wide clear opening,
61 (2) at least one accessible means of ingress and egress to a home, and
62 (3) at least one full or half bathroom on the first floor that is compliant
63 with the provisions of the Americans with Disabilities Act of 1990, as
64 amended, 42 USC 12101.

65 Sec. 2. (NEW) (*Effective October 1, 2010*) (a) For purposes of this
66 section, "visitable housing" means one-to-four family residential
67 construction that includes three basic architectural features to allow
68 persons with disabilities to easily visit: (1) Interior doorways that
69 provide a minimum thirty-two inch wide clear opening, (2) at least one
70 accessible means of ingress and egress to a home, and (3) at least one
71 full or half bathroom on the first floor that is compliant with the
72 provisions of the Americans with Disabilities Act of 1990, as amended,
73 42 USC 12101.

74 (b) The Department of Economic and Community Development, in
75 consultation with the Connecticut Housing Finance Authority, may
76 establish a program to encourage the development of visitable housing
77 in the state. The program shall identify (1) a single point of contact for
78 any person seeking financial or technical assistance from the state to
79 construct visitable housing, (2) financial incentives for developers who
80 construct visitable housing, and (3) public education about such
81 housing. The department shall submit a report on the status of the

82 program, in accordance with section 11-4a of the general statutes, to
 83 the joint standing committee of the General Assembly having
 84 cognizance of matters relating to housing not later than October 1,
 85 2012.

86 (c) The Department of Economic and Community Development
 87 shall establish, within available appropriations, an informational web
 88 page in a conspicuous place on such department's Internet web site
 89 with a list of links to available visitable housing resources.

90 Sec. 3. (NEW) (*Effective October 1, 2010, and applicable to assessment*
 91 *years commencing on or after said date*) As used in this section, "visitable
 92 housing" means one-to-four family residential construction that
 93 includes three basic architectural features to allow persons with
 94 disabilities to easily visit: (1) Interior doorways that provide a
 95 minimum thirty-two inch wide clear opening, (2) at least one accessible
 96 means of ingress and egress to a home, and (3) at least one full or half
 97 bathroom on the first floor that is compliant with the provisions of the
 98 Americans with Disabilities Act of 1990, as amended, 42 USC 12101.
 99 Any municipality may, by ordinance adopted by its legislative body,
 100 provide property tax abatements to developers of visitable housing."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2010</i>	29-269
Sec. 2	<i>October 1, 2010</i>	New section
Sec. 3	<i>October 1, 2010, and applicable to assessment years commencing on or after said date</i>	New section