



General Assembly

January Session, 2011

Raised Bill No. 889

LCO No. 2414

02414_____PS_

Referred to Committee on Public Safety and Security

Introduced by:
(PS)

***AN ACT CONCERNING THE LEGISLATIVE COMMISSIONERS'
RECOMMENDATIONS FOR TECHNICAL CORRECTIONS TO THE
PUBLIC SAFETY STATUTES.***

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

1 Section 1. Section 12-571a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) The Division of Special Revenue and the Gaming Policy Board
4 shall not operate or authorize the operation of more than eighteen off-
5 track betting branch facilities, except that the division and the board
6 may operate or authorize the operation of any off-track betting branch
7 facility approved prior to December 31, 1986, by the legislative body of
8 a municipality in accordance with subsection (a) of section 12-572. Any
9 facility approved prior to December 31, 1986, shall be included within
10 the eighteen [branch] facilities authorized by this subsection.

11 (b) The eighteen off-track betting branch facilities authorized by
12 subsection (a) of this section may include fifteen facilities which have
13 screens for the simulcasting of off-track betting race programs or jai
14 alai games and other amenities including, but not limited to,

15 restaurants and concessions, provided, on and after June 21, 2010, the
16 fifteen facilities [which] that have simulcasting shall be located in the
17 town and city of New Haven, the town of Windsor Locks, the town of
18 East Haven, the town and city of Norwalk, the town and city of
19 Hartford, the town and city of New Britain, the town and city of
20 Bristol, the town and city of Torrington, the town and city of
21 Waterbury, the town and city of Milford, the town and city of New
22 London, the town of Manchester, the town of Windham, the town of
23 Putnam and in the town and city of Bridgeport. The location of each
24 such facility and the addition of simulcasting capability to any existing
25 off-track betting branch facility that did not previously have such
26 capability (1) shall be approved by the executive director with the
27 consent of the Gaming Policy Board, and (2) shall be subject to the
28 prior approval of the legislative body of the town in which such facility
29 is located or is proposed to be located. The division shall report
30 annually to the joint standing committee of the General Assembly
31 having cognizance of matters relating to legalized gambling on the
32 status of the establishment or improvement of the off-track betting
33 branch facility pursuant to this subsection.

34 Sec. 2. Subdivision (13) of subsection (b) of section 12-806 of the
35 general statutes is repealed and the following is substituted in lieu
36 thereof (*Effective from passage*):

37 (13) To pay the Office of Policy and Management to reimburse the
38 Division of Special Revenue for the reasonable and necessary costs
39 arising from the division's regulatory oversight of the corporation, in
40 accordance with the assessment made pursuant to section 12-806b,
41 including costs arising directly or indirectly from the licensing of
42 lottery agents, performance of state police background investigations,
43 and the implementation of subsection (b) of section 12-562 [,] and
44 sections 12-563a, 12-568a, 12-569, 12-570, 12-570a and 12-800 to 12-818,
45 inclusive.

46 Sec. 3. Section 7-173 of the general statutes is repealed and the

47 following is substituted in lieu thereof (*Effective from passage*):

48 Any organization desiring to operate a bazaar or raffle in a
49 municipality which has adopted the provisions of sections 7-170 to 7-
50 186, inclusive, shall make application in duplicate, duly executed and
51 verified, to the chief of police of any municipality having a police
52 department or to the [first selectman] chief executive officer of any
53 town in which there is no police department, on a form to be
54 prescribed by the executive director of the Division of Special Revenue,
55 in which shall be stated (a) the name and address of the applicant; (b)
56 facts relating to its incorporation or organization; (c) the names, titles
57 and addresses of its officers; (d) the kind of bazaar or raffle intended to
58 be held, operated and conducted by the applicant; (e) the place where
59 such bazaar or raffle is intended to be conducted by the applicant
60 under the permit applied for; (f) the date or dates and the time or times
61 when such bazaar or raffle is intended to be conducted by the
62 applicant under the permit applied for; (g) in the case of a raffle, the
63 number and price of tickets intended to be sold; (h) the items of
64 expense intended to be incurred or paid in connection with the
65 holding, operating and conducting of such bazaar or raffle and the
66 names and addresses of the persons to whom, and the purposes for
67 which, they are to be paid; (i) the items of merchandise offered, the
68 price to be paid by the organization therefor or the retail value of any
69 prize donated, and the names and addresses of the persons from
70 whom purchased or by whom donated; (j) the specific purposes to
71 which the entire net proceeds of such bazaar or raffle are to be devoted
72 and in what manner, and (k) any other information which the
73 executive director reasonably requires for the protection of the public.
74 In each application there shall be designated three active members of
75 the applicant under whom the bazaar or raffle described in the
76 application is to be held, operated and conducted and to the
77 application shall be appended a statement signed, under penalty of
78 false statement, by such members so designated that they are electors
79 of the municipality in which the permit is sought and will be
80 responsible for the holding, operation and conduct of such bazaar or

81 raffle in accordance with the terms of the permit and the provisions of
82 said sections, and that the statements contained in the application are,
83 to the best of their knowledge and belief, true. Such chief of police or
84 [first selectman] chief executive officer, as the case may be, shall, at
85 least five business days prior to the date of such bazaar or raffle,
86 forward the original copy of such application to said executive director
87 who shall review such application to determine whether the applicant
88 is qualified to hold, operate and conduct a bazaar or raffle under the
89 provisions of sections 7-170 to 7-186, inclusive, or any regulations
90 adopted pursuant thereto, and whether other requirements in said
91 statutes and regulations have been satisfied. For the purposes of
92 applying for a "Class No. 7" permit, authorized pursuant to section 7-
93 175, the application required pursuant to this section shall be made to
94 the executive director of the Division of Special Revenue.

95 Sec. 4. Section 7-174 of the general statutes is repealed and the
96 following is substituted in lieu thereof (*Effective from passage*):

97 Such chief of police or [first selectman] chief executive officer, as the
98 case may be, shall, on behalf of the executive director of the Division of
99 Special Revenue, make or cause to be made an investigation of the
100 qualifications of the applicant and the facts stated in the application
101 and, if such chief of police or [first selectman] chief executive officer
102 determines that the applicant is qualified to hold, operate and conduct
103 a bazaar or raffle under the provisions of sections 7-170 to 7-186,
104 inclusive, that the members of the applicant designated in the
105 application to hold, operate or conduct such bazaar or raffle are
106 electors of such municipality, bona fide active members of the
107 applicant and persons of good moral character and have never been
108 convicted of a felony and that such bazaar or raffle is to be held,
109 operated and conducted in accordance with the provisions of said
110 sections, such chief of police or [first selectman] chief executive officer
111 shall, with the approval of the executive director, issue a permit to
112 such applicant. Upon issuing such permit, such chief of police or [first
113 selectman] chief executive officer shall forward to the executive

114 director the state's share of the permit fee, if any. Any investigation
115 required pursuant to this section of the qualifications of an applicant
116 for a "Class No. 7" permit, authorized pursuant to section 7-175, shall
117 be made by the executive director of the Division of Special Revenue.

118 Sec. 5. Section 7-182 of the general statutes is repealed and the
119 following is substituted in lieu thereof (*Effective from passage*):

120 Any sponsoring organization [which] that holds, operates or
121 conducts any bazaar or raffle, and its members who were in charge
122 thereof, shall furnish to the chief of police of the municipality or to the
123 [first selectman] chief executive officer, as the case may be, a verified
124 statement, in duplicate, showing (1) the amount of the gross receipts
125 derived from each bazaar or raffle, (2) in the case of a raffle, the
126 number and price of tickets sold, (3) each item of expense incurred or
127 paid, and each item of expenditure made or to be made and the name
128 and address of each person to whom each such item has been or is to
129 be paid, (4) the net profit derived from each bazaar or raffle and the
130 uses to which the net profit has been or is to be applied, and (5) a list of
131 prizes of a retail value of fifty dollars or more offered or given with the
132 amount paid for each prize purchased or the retail value for each prize
133 donated and the names and addresses of the persons to whom the
134 prizes were given. Such report shall be furnished during the next
135 succeeding month. The chief of police or [first selectman] chief
136 executive officer, as the case may be, shall forward the original copy of
137 such report to the executive director of the Division of Special
138 Revenue, who shall keep it on file and available for public inspection
139 for a period of one year thereafter. The sponsoring organization shall
140 maintain and keep any books and records that may be necessary to
141 substantiate the particulars of such report, which books and records
142 shall be preserved for at least one year from the date of such report
143 and shall be available for inspection. Such report shall be certified to
144 under penalty of false statement by the three persons designated in the
145 permit application as being responsible for the bazaar or raffle. The
146 report required pursuant to this section for a "Class No. 7" raffle

147 authorized pursuant to section 7-175, shall be submitted to the
148 executive director of the Division of Special Revenue during the next
149 succeeding month following the final prize drawing.

150 Sec. 6. Section 7-183 of the general statutes is repealed and the
151 following is substituted in lieu thereof (*Effective from passage*):

152 Each such report shall be examined by the chief of police or the [first
153 selectman] chief executive officer, as the case may be, and by the
154 executive director of the Division of Special Revenue and shall be
155 compared with the original application. The executive director may
156 refer any violation of sections 7-170 to 7-185, inclusive, or
157 administrative regulations issued pursuant thereto found therein to
158 the office of the state's attorney having jurisdiction over the
159 municipality in which the organization is located and such office shall
160 investigate and take such action as the facts require.

161 Sec. 7. Subsection (c) of section 7-185a of the general statutes is
162 repealed and the following is substituted in lieu thereof (*Effective from*
163 *passage*):

164 (c) Notwithstanding the provisions of section 7-177, any
165 organization conducting a bazaar may operate "fifty-fifty" coupon
166 games each day of a permitted bazaar event and may award cash
167 prizes of fifty per cent of "fifty-fifty" coupon game sales for each
168 coupon drawing conducted. Not more than three scheduled drawings
169 may be held on any day on which a bazaar is permitted. A "fifty-fifty"
170 coupon game shall be operated from an authorized bazaar booth,
171 subject to the regulation of the executive director of the Division of
172 Special Revenue and shall allow for the sale of "fifty-fifty" coupons at a
173 predetermined uniform price. Each "fifty-fifty" coupon shall be
174 consecutively numbered and shall have a correspondingly numbered
175 stub. Each sponsoring organization shall provide different colored
176 coupons for each drawing and shall award one prize for each drawing
177 held. Each organization conducting such games shall conspicuously
178 post, at each bazaar booth at which such games are conducted, a notice

179 or notices which shall include the dates, times and places of any "fifty-
180 fifty" coupon drawings, as well as the prices and colors of coupons to
181 be sold for each drawing. The executive director shall prescribe the
182 form of such notice which shall contain the following statement:
183 "Holders of coupons must be present to claim a prize." Each such
184 organization shall account for each coupon printed and sold for each
185 drawing and shall announce the amount of sales and the prize to be
186 awarded immediately prior to each drawing. The sponsoring
187 organization shall preserve all sold and unsold coupons or stubs for a
188 period of at least one year from the date of the verified statement
189 required pursuant to section 7-182, as amended by this act. At the
190 conclusion of a bazaar, each organization conducting such games, and
191 its members who were in charge thereof, shall furnish to the chief of
192 police of the municipality or to the [first selectman] chief executive
193 officer, as the case may be, a verified statement, prescribed by the
194 executive director of the Division of Special Revenue, in duplicate,
195 showing (1) the total number of coupons purchased and sold for each
196 "fifty-fifty" coupon game drawing, and (2) the total number and
197 amount of prizes awarded and the names and addresses of the persons
198 to whom the prizes were awarded. Such report shall be furnished
199 during the next succeeding month. The chief of police or [first
200 selectman] chief executive officer, as the case may be, shall forward the
201 original copy of such report to the executive director, who shall keep it
202 on file and available for public inspection for a period of one year
203 thereafter. Such report shall be certified to under penalty of false
204 statement by the three persons designated in the permit application as
205 being responsible for the bazaar.

206 Sec. 8. Subsection (a) of section 32-665 of the general statutes is
207 repealed and the following is substituted in lieu thereof (*Effective from*
208 *passage*):

209 (a) Except as otherwise provided in sections 32-650 to 32-668,
210 inclusive, the following provisions of the general statutes, including
211 regulations adopted thereunder, shall not apply to the overall project:

212 Section 3-14b, subdivisions (12), (13) and (14) of section 4-166, sections
213 4-167 to 4-174, inclusive, 4-181a, 4a-1 to 4a-59a, inclusive, 4a-63 to 4a-
214 76, inclusive, title 4b, section 16a-31, chapters 97a, 124 and 126, sections
215 14-311 to 14-314c, inclusive, 19a-37, 22a-16 and subsection (a) of section
216 22a-19. For the purposes of section 22a-12, construction plans relating
217 to the overall project shall not be considered construction plans
218 required to be submitted by state agencies to the Council on
219 Environmental Quality. Notwithstanding any provision of any special
220 act, charter, ordinance, home rule ordinance or chapter 98 no provision
221 of any such act, charter or ordinance or said chapter 98, concerning
222 licenses, permits or approvals by a political subdivision of the state
223 pertaining to building demolition or construction shall apply to the
224 overall project and, notwithstanding any provision of the general
225 statutes, the State Building Inspector and the State Fire Marshal shall
226 have original jurisdiction with respect to the administration and
227 enforcement of the State Building Code and the [State] Fire Safety
228 Code, respectively, with respect to all aspects of the overall project,
229 including, without limitation, the conduct of necessary reviews and
230 inspections and the issuance of any building permit, certificate of
231 occupancy or other necessary permits or certificates related to building
232 construction, occupancy or fire safety. For the purposes of part III of
233 chapter 557, the stadium facility project, the convention center project
234 and the parking project shall be deemed to be a public works project
235 and consist of public buildings except that the provisions relating to
236 payment of prevailing wages to workers in connection with a public
237 works project including, but not limited to, section 31-53 shall not
238 apply to the stadium facility project, the convention center project and
239 the parking project if the project manager or the prime construction
240 contractor has negotiated other wage terms pursuant to a project labor
241 agreement. The provisions of section 2-32c and subsection (c) of section
242 2-79a shall not apply to any provisions of public act 99-241, as
243 amended by public act 00-140, or chapter 588x concerning the overall
244 project. Any building permit application with respect to the overall
245 project shall be exempt from the assessment of an education fee under

246 subsection (b) of section 29-252a, as amended by this act.

247 Sec. 9. Section 29-296a of the general statutes is repealed and the
248 following is substituted in lieu thereof (*Effective from passage*):

249 Not later than January 1, 2003, the State Fire Marshal and the Codes
250 and Standards Committee shall create a list of variations or exemptions
251 from, or equivalent or alternate compliance with, the [State] Fire Safety
252 Code granted relative to existing buildings in the last two calendar
253 years and shall update such list biennially. Not later than April 1, 2003,
254 the State Fire Marshal shall, within available appropriations, (1) send
255 such list to all local fire marshals, (2) take appropriate actions to
256 publicize such list, and (3) educate local fire marshals and the public
257 on how to use the list.

258 Sec. 10. Section 29-251a of the general statutes is repealed and the
259 following is substituted in lieu thereof (*Effective from passage*):

260 As used in this section, "program requirements" means any
261 program or part of a program which is required by law. The
262 Commissioner of Public Safety, in consultation with the Codes and
263 Standards Committee, shall conduct a review of existing regulations of
264 each state agency to determine whether any provision of such
265 regulations conflicts with the State Building Code, the [State] Fire
266 Safety Code, the State Fire Prevention Code or any other fire safety
267 regulation adopted under this chapter. The commissioner shall make
268 recommendations to the department head of any state agency which
269 has regulations that are in conflict with the State Building Code, the
270 [State] Fire Safety Code, the State Fire Prevention Code or any other
271 fire safety regulation adopted under this chapter for the amendment of
272 such regulations so they no longer are in conflict with said codes or
273 any such fire safety regulations. Not later than ninety days following
274 receipt of such recommendations, the department head of such state
275 agency shall initiate the process under chapter 54 to amend or repeal
276 such regulation in order to bring such regulation into compliance with
277 the State Building Code, the [State] Fire Safety Code, the State Fire

278 Prevention Code or any other fire safety regulation adopted under this
279 chapter as the case may be, unless the amendment or repeal of such
280 regulation would result in a conflict with the applicable agency's
281 program requirements. The Commissioner of Public Safety, in
282 consultation with the Codes and Standards Committee, shall report
283 such recommendations to the joint standing committee of the General
284 Assembly having cognizance of matters relating to public safety.

285 Sec. 11. Subsection (a) of section 29-251c of the general statutes is
286 repealed and the following is substituted in lieu thereof (*Effective from*
287 *passage*):

288 (a) As used in subsections (a) to (c), inclusive, of this section "prior
289 approval of the Code Training and Education Board of Control" means
290 approval by the board of a fiscal year budget prepared by the
291 Commissioner of Public Safety. The commissioner shall develop a
292 program to sponsor (1) training and educational programs in the
293 mechanics and application of the State Building Code and the [State]
294 Fire Safety Code conducted for any municipal or state code official, or
295 any candidate for said positions, and (2) continuing educational
296 programs in the mechanics and application of the State Building Code
297 and the [State] Fire Safety Code for any architect, engineer, landscape
298 architect, interior designer, builder, contractor or superintendent of
299 construction doing business in this state, and shall determine the
300 equipment necessary to sponsor such training and educational
301 programs.

302 Sec. 12. Subsection (c) of section 29-251c of the general statutes is
303 repealed and the following is substituted in lieu thereof (*Effective from*
304 *passage*):

305 (c) The commissioner shall establish a program of education and
306 training in the mechanics and application of the State Building Code
307 and the [State] Fire Safety Code conducted for any municipal or state
308 code official, or any candidate for said positions, and a continuing
309 educational program in the mechanics and application of the State

310 Building Code and the [State] Fire Safety Code for any architect,
311 engineer, landscape architect, interior designer, builder, contractor or
312 superintendent of construction doing business in this state.

313 Sec. 13. Subsection (e) of section 29-251c of the general statutes is
314 repealed and the following is substituted in lieu thereof (*Effective from*
315 *passage*):

316 (e) The Commissioner of Public Safety shall annually submit a
317 report of the amount of funds received pursuant to subsection (d) of
318 this section, or of any other funds received by the commissioner for the
319 purposes of code training and education under this section, to the
320 cochairpersons and ranking members of the joint standing committees
321 of the General Assembly having cognizance of matters relating to
322 finance, revenue and bonding and appropriations. All direct expenses
323 incurred in the conduct of the code training and educational programs,
324 or of the operation, maintenance and repair of facilities, food services
325 and other auxiliary services incurred in the conduct of the code
326 training and educational programs, shall be charged, and any cost of
327 equipment for code training and educational programs may be
328 charged, against the funds appropriated for the code training and
329 educational programs on order of the Comptroller. Any balance of
330 receipts after expenditures shall be retained by the commissioner and
331 shall be used solely for the code training and educational programs
332 under this section and for the acquisition, as provided in section 4b-21,
333 alteration and repairs of real property for educational facilities,
334 provided repairs, alterations or additions to educational facilities
335 costing fifty thousand dollars or less shall require the approval of the
336 Commissioner of Public Works and capital projects costing over fifty
337 thousand dollars shall require the approval of the General Assembly,
338 or when the General Assembly is not in session, of the Finance
339 Advisory Committee. Funds appropriated to or received by the
340 Commissioner of Public Safety for the code training and educational
341 programs shall also be used for (1) (A) the operation, maintenance and
342 repair of auxiliary services facilities, and (B) any other activities related

343 to training and educational programs in the mechanics and application
344 of the State Building Code and the [State] Fire Safety Code conducted
345 for any municipal or state code official, or any candidate for said
346 positions, and (2) continuing educational programs in the mechanics
347 and application of the State Building Code and the [State] Fire Safety
348 Code for any architect, engineer, landscape architect, interior designer,
349 builder, contractor or superintendent of construction doing business in
350 this state. No funds shall be used for the purposes of this section
351 without prior approval of the Code Training and Education Board of
352 Control, established pursuant to subsection (b) of this section.

353 Sec. 14. Subdivision (1) of subsection (b) of section 29-252a of the
354 general statutes is repealed and the following is substituted in lieu
355 thereof (*Effective from passage*):

356 (b) (1) No state building or structure or addition to a state building
357 or structure: (A) That exceeds the threshold limits contained in section
358 29-276b and requires an independent structural review under said
359 section, or (B) that includes residential occupancies for twenty-five or
360 more persons, shall be constructed until an application has been filed
361 by the commissioner of an agency authorized to contract for the
362 construction of buildings under the provisions of section 4b-1 or 4b-51
363 with the State Building Inspector and a building permit issued by the
364 State Building Inspector. Two copies of the plans and specifications for
365 the building, structure or addition to be constructed shall accompany
366 the application. The commissioner of any such agency shall certify that
367 such plans and specifications are in substantial compliance with the
368 provisions of the State Building Code and, where applicable, with the
369 provisions of the [State] Fire Safety Code. The State Building Inspector
370 shall review the plans and specifications for the building, structure or
371 addition to be constructed to verify their compliance with the
372 requirements of the State Building Code and, not later than thirty days
373 after the date of application, shall issue or refuse to issue the building
374 permit, in whole or in part. The State Building Inspector may request
375 that the State Fire Marshal review such plans to verify their

376 compliance with the [State] Fire Safety Code.

377 Sec. 15. Subsections (c) and (d) of section 29-252a of the general
378 statutes are repealed and the following is substituted in lieu thereof
379 (*Effective from passage*):

380 (c) All state agencies authorized to contract for the construction of
381 any buildings or the alteration of any existing buildings under the
382 provisions of section 4b-1 or 4b-51 shall be responsible for substantial
383 compliance with the provisions of the State Building Code, the [State]
384 Fire Safety Code and the regulations lawfully adopted under said
385 codes for such building or alteration to such building, as the case may
386 be. Such agencies shall apply to the State Building Inspector for a
387 certificate of occupancy for all buildings or alterations of existing
388 buildings for which a building permit is required under subsection (b)
389 of this section and shall certify compliance with the State Building
390 Code, the [State] Fire Safety Code and the regulations lawfully
391 adopted under said codes for such building or alteration to such
392 building, as the case may be, to the State Building Inspector prior to
393 occupancy or use of the facility.

394 (d) (1) No state building or structure erected or altered on and after
395 July 1, 1989, for which a building permit has been issued pursuant to
396 subsection (b) of this section, shall be occupied or used in whole or in
397 part, until a certificate of occupancy has been issued by the State
398 Building Inspector, certifying that such building or structure
399 substantially conforms to the provisions of the State Building Code
400 and the regulations lawfully adopted under said code and the State
401 Fire Marshal has verified substantial compliance with the [State] Fire
402 Safety Code and the regulations lawfully adopted under said code for
403 such building or alteration to such building, as the case may be.

404 (2) No state building or structure erected or altered on and after July
405 1, 1989, for which a building permit has not been issued pursuant to
406 subsection (b) of this section shall be occupied or used in whole or in
407 part, until the commissioner of the agency erecting or altering the

408 building or structure certifies to the State Building Inspector that the
409 building or structure substantially complies with the provisions of the
410 State Building Code, the [State] Fire Safety Code and the regulations
411 lawfully adopted under said codes for such building or alteration to
412 such building, as the case may be.

413 Sec. 16. Subsection (g) of section 29-252a of the general statutes is
414 repealed and the following is substituted in lieu thereof (*Effective from*
415 *passage*):

416 (g) Any person aggrieved by any refusal to issue a building permit
417 or certificate of occupancy under the provisions of this section or by an
418 order to comply with the State Building Code or the [State] Fire Safety
419 Code may appeal, de novo, to the Codes and Standards Committee not
420 later than seven days after the issuance of any such refusal or order.

421 Sec. 17. Subsection (a) of section 29-256 of the general statutes is
422 repealed and the following is substituted in lieu thereof (*Effective from*
423 *passage*):

424 (a) In order to make the State Building Code and the [State] Fire
425 Safety Code more responsive to present economic conditions, to
426 promote reduction in the cost of construction of homes and other
427 buildings, thereby creating more jobs in the construction industry and
428 promoting home ownership, as well as to enable the citizens of the
429 state to realize the benefits of the latest technology in energy
430 conservation in the design and construction of homes and other
431 buildings, the State Building Inspector and Codes and Standards
432 Committee, in conjunction with the Commissioner of Public Safety,
433 shall thoroughly review and revise the State Building Code and the
434 [State] Fire Safety Code, with an emphasis on performance rather than
435 design specifications. In the course of such review, the State Building
436 Inspector and the Codes and Standards Committee shall develop a
437 rehabilitation subcode. The provisions of such subcode shall include,
438 but not be limited to, the identification and standardization of
439 economically feasible rehabilitation standards and modifications that

440 ensure the public health, safety and welfare, and protect the
441 environment. Such subcode shall be included in any revision of the
442 State Building Code.

443 Sec. 18. Section 29-256c of the general statutes is repealed and the
444 following is substituted in lieu thereof (*Effective from passage*):

445 Not later than January 1, 2000, the State Building Inspector and the
446 State Fire Marshal, in conjunction with the Codes and Standards
447 Committee, shall make amendments to the State Building Code and
448 the [State] Fire Safety Code concerning bed and breakfast
449 establishments. Said amendments shall: (1) Be adopted in accordance
450 with the provisions of chapter 54; (2) define the term "bed and
451 breakfast"; and (3) be designed to preserve the unique character of
452 such establishments, contain the cost of conversion of a home to such
453 an establishment and support the tourism industry in the state,
454 provided such amendments shall not affect the safe design, use or
455 construction of such establishments.

456 Sec. 19. Section 29-256d of the general statutes is repealed and the
457 following is substituted in lieu thereof (*Effective from passage*):

458 Not later than January 1, 2008, the State Building Inspector and the
459 State Fire Marshal, in conjunction with the Codes and Standards
460 Committee, shall make amendments to the State Building Code and
461 the [State] Fire Safety Code concerning floor proximity path marking
462 devices or related devices intended for installation as a system to
463 identify the path of emergency egress. The amendments shall require
464 that a path marking system be installed within eighteen inches of the
465 floor, provide a visible delineation of the path of travel along the
466 designated exit access and be essentially continuous, except as
467 interrupted by doorways, hallways, corridors or other such
468 architectural features. The amendments shall provide which materials
469 may be used for path marking, and such materials shall include, but
470 not be limited to, electrical photo luminescent or self-luminous
471 material. The amendments shall require installation of a path marking

472 system in new construction in (1) Group A occupancies with an
473 occupant load of more than three hundred persons, (2) Group B
474 medical occupancies, (3) Group E occupancies, (4) Group I-1
475 occupancies, (5) Group I-2 occupancies, (6) Group R-1 hotels and
476 motels, and (7) Group R-2 dormitories.

477 Sec. 20. Subsection (a) of section 29-263 of the general statutes is
478 repealed and the following is substituted in lieu thereof (*Effective from*
479 *passage*):

480 (a) Except as provided in subsection (h) of section 29-252a and the
481 State Building Code adopted pursuant to subsection (a) of section 29-
482 252, after October 1, 1970, no building or structure shall be constructed
483 or altered until an application has been filed with the building official
484 and a permit issued. Such permit shall be issued or refused, in whole
485 or in part, within thirty days after the date of an application. No permit
486 shall be issued except upon application of the owner of the premises
487 affected or the owner's authorized agent. No permit shall be issued to
488 a contractor who is required to be registered pursuant to chapter 400,
489 for work to be performed by such contractor, unless the name,
490 business address and Department of Consumer Protection registration
491 number of such contractor is clearly marked on the application for the
492 permit, and the contractor has presented such contractor's certificate of
493 registration as a home improvement contractor. Prior to the issuance of
494 a permit and within said thirty-day period, the building official shall
495 review the plans of buildings or structures to be constructed or altered,
496 including, but not limited to, plans prepared by an architect licensed
497 pursuant to chapter 390, a professional engineer licensed pursuant to
498 chapter 391 or an interior designer registered pursuant to chapter 396a
499 acting within the scope of such license or registration, to determine
500 their compliance with the requirements of the State Building Code and,
501 where applicable, the local fire marshal shall review such plans to
502 determine their compliance with the [State] Fire Safety Code. Such
503 plans submitted for review shall be in substantial compliance with the
504 provisions of the State Building Code and, where applicable, with the

505 provisions of the [State] Fire Safety Code.

506 Sec. 21. Subsections (a) and (b) of section 29-305 of the general
507 statutes are repealed and the following is substituted in lieu thereof
508 (*Effective from passage*):

509 (a) Each local fire marshal and the State Fire Marshal, for the
510 purpose of satisfying themselves that all pertinent statutes and
511 regulations are complied with, may inspect in the interests of public
512 safety all buildings, facilities, processes, equipment, systems and other
513 areas regulated by the [State] Fire Safety Code and the State Fire
514 Prevention Code within their respective jurisdictions.

515 (b) Each local fire marshal shall inspect or cause to be inspected, at
516 least once each calendar year or as often as prescribed by the State Fire
517 Marshal pursuant to subsection (e) of this section, in the interests of
518 public safety, all buildings and facilities of public service and all
519 occupancies regulated by the [State] Fire Safety Code within the local
520 fire marshal's jurisdiction, except residential buildings designed to be
521 occupied by one or two families which shall be inspected, upon
522 complaint or request of an owner or occupant, only for the purpose of
523 determining whether the requirements specified in said codes relative
524 to smoke detection and warning equipment have been satisfied. In the
525 case of a school building, each local fire marshal shall submit a written
526 report to the local or regional board of education documenting each
527 such inspection.

528 Sec. 22. Subsection (e) of section 29-305 of the general statutes is
529 repealed and the following is substituted in lieu thereof (*Effective from*
530 *passage*):

531 (e) The State Fire Marshal may adopt amendments to the [State] Fire
532 Safety Code and the State Fire Prevention Code regarding
533 requirements for the frequency of inspections of different building
534 uses regulated by the codes and set forth a schedule of inspections,
535 except for inspections of residential buildings designed to be occupied

536 by three or more families, that are less frequent than yearly if the
537 interests of public safety can be met by less frequent inspections.

538 Sec. 23. Subsection (c) of section 29-306 of the general statutes is
539 repealed and the following is substituted in lieu thereof (*Effective from*
540 *passage*):

541 (c) If the local fire marshal or a local police officer determines that
542 there exists in a building a risk of death or injury from (1) blocked,
543 insufficient or impeded egress, (2) failure to maintain or the shutting
544 off of any fire protection or fire warning system required by the [State]
545 Fire Safety Code or State Fire Prevention Code, (3) the storage of any
546 flammable or explosive material without a permit or in quantities in
547 excess of any allowable limits pursuant to a permit, (4) the use of any
548 firework or pyrotechnic device without a permit, or (5) exceeding the
549 occupancy limit established by the State Fire Marshal or a local fire
550 marshal, such fire marshal or police officer may issue a verbal or
551 written order to immediately vacate the building. Such fire marshal or
552 police officer shall notify or submit a copy of such order to the State
553 Fire Marshal if such marshal or officer anticipates that any of the
554 conditions specified in subdivisions (1) to (5), inclusive, of this
555 subsection cannot be abated in four hours or less from the time of such
556 order. Upon receipt of any such notification or copy, the State Fire
557 Marshal shall review such order to vacate, and after consultation with
558 the local fire marshal or local police officer, determine whether to
559 uphold, modify or reverse such order, with any further conditions the
560 State Fire Marshal deems appropriate to protect any person from
561 injury. A violation of such order shall be subject to the penalties under
562 section 29-295.

563 Sec. 24. Section 29-308a of the general statutes is repealed and the
564 following is substituted in lieu thereof (*Effective from passage*):

565 The State Fire Marshal shall set priorities for projects funded by the
566 proceeds of the sale of bonds of the state authorized for the
567 improvement or renovation of state residential facilities or institutions

568 in compliance with the [State] Fire Safety Code.

569 Sec. 25. Section 29-309 of the general statutes is repealed and the
570 following is substituted in lieu thereof (*Effective from passage*):

571 The Codes and Standards Committee shall establish a procedure
572 whereby any person determined to have the right to appeal may
573 appeal a decision of the local fire marshal or State Fire Marshal relating
574 to the enforcement of any provision of the general statutes concerning
575 the [State] Fire Safety Code not more than thirty days after the receipt
576 of notice of the decision by the person aggrieved by such decision.
577 Such procedure shall include the committee and shall be established in
578 accordance with the provisions of chapter 54. Any person aggrieved by
579 a decision made in accordance with such procedure may appeal
580 therefrom to the superior court for the judicial district wherein the
581 premises concerned are located.

582 Sec. 26. Subsection (a) of section 29-381a of the general statutes is
583 repealed and the following is substituted in lieu thereof (*Effective from*
584 *passage*):

585 (a) Each place of public assembly, as defined in the [State] Fire
586 Safety Code, constructed under a building permit application filed on
587 or after June 8, 2004, or renovated under a building permit application
588 filed on or after said date to increase capacity or change its occupancy,
589 as defined in the State Building Code, that has a single main entrance
590 shall have such main entrance sufficient to allow the emergency exit of
591 two-thirds of the capacity of such place of assembly.

592 Sec. 27. Subsection (c) of section 19a-495 of the general statutes is
593 repealed and the following is substituted in lieu thereof (*Effective from*
594 *passage*):

595 (c) The commissioner may waive any provisions of the regulations
596 affecting the physical plant requirements of residential care homes if
597 the commissioner determines that such waiver would not endanger

598 the health, safety or welfare of any resident. The commissioner may
599 impose conditions, upon granting the waiver, that assure the health,
600 safety and welfare of residents, and may revoke the waiver upon a
601 finding that the health, safety or welfare of any resident has been
602 jeopardized. The commissioner shall not grant a waiver that would
603 result in a violation of the [State] Fire Safety Code or State Building
604 Code. The commissioner may adopt regulations, in accordance with
605 chapter 54, establishing procedures for an application for a waiver
606 pursuant to this subsection.

607 Sec. 28. Section 19a-701 of the general statutes is repealed and the
608 following is substituted in lieu thereof (*Effective from passage*):

609 A managed residential community shall meet the requirements of
610 all applicable federal and state laws and regulations, including, but not
611 limited to, the Public Health Code, State Building Code and the [State]
612 Fire Safety Code, and federal and state laws and regulations governing
613 handicapped accessibility.

614 Sec. 29. Subsection (c) of section 17a-154 of the general statutes is
615 repealed and the following is substituted in lieu thereof (*Effective from*
616 *passage*):

617 (c) Permanent family residences licensed by the department
618 pursuant to the provisions of this section and section 17a-155 shall be
619 deemed private dwellings occupied by one family by the
620 Commissioner of Public Health for purposes of compliance with the
621 State Public Health Code and by the Commissioner of Public Safety for
622 purposes of compliance with the State Building Code and the Fire
623 Safety [Codes] Code.

624 Sec. 30. Subdivision (6) of subsection (a) of section 10-416 of the
625 general statutes is repealed and the following is substituted in lieu
626 thereof (*Effective from passage*):

627 (6) "Qualified rehabilitation expenditures" means any costs incurred

628 for the physical construction involved in the rehabilitation of an
629 historic home, but excludes: (A) The owner's personal labor, (B) the
630 cost of site improvements, unless to provide building access to persons
631 with disabilities, (C) the cost of a new addition, except as may be
632 required to comply with any provision of the State Building Code or
633 the [State] Fire Safety Code, (D) any cost associated with the
634 rehabilitation of an outbuilding, unless such building contributes to
635 the historical significance of the historic home, and (E) any
636 nonconstruction cost such as architectural fees, legal fees and financing
637 fees;

638 Sec. 31. Subdivision (6) of subsection (a) of section 10-416a of the
639 general statutes is repealed and the following is substituted in lieu
640 thereof (*Effective from passage*):

641 (6) "Qualified rehabilitation expenditures" means any costs incurred
642 for the physical construction involved in the rehabilitation of a
643 certified historic structure for residential use, excluding: (A) The
644 owner's personal labor, (B) the cost of a new addition, except as
645 required to comply with any provision of the State Building Code or
646 the [State] Fire Safety Code, and (C) any nonconstruction cost such as
647 architectural fees, legal fees and financing fees;

648 Sec. 32. Subdivision (6) of subsection (a) of section 10-416b of the
649 general statutes is repealed and the following is substituted in lieu
650 thereof (*Effective from passage*):

651 (6) "Qualified rehabilitation expenditures" means any costs incurred
652 for the physical construction involved in the rehabilitation of a
653 certified historic structure for mixed residential and nonresidential
654 uses where at least thirty-three per cent of the total square footage of
655 the rehabilitation is placed into service for residential use, excluding:
656 (A) The owner's personal labor, (B) the cost of a new addition, except
657 as required to comply with any provision of the State Building Code or
658 the [State] Fire Safety Code, and (C) any nonconstruction cost such as
659 architectural fees, legal fees and financing fees;

660 Sec. 33. Subsection (a) of section 10-292 of the general statutes is
 661 repealed and the following is substituted in lieu thereof (*Effective from*
 662 *passage*):

663 (a) Upon receipt by the Commissioner of Education of the final
 664 plans for any phase of a school building project as provided in section
 665 10-291, said commissioner shall promptly review such plans and check
 666 them to the extent appropriate for the phase of development or
 667 construction for which final plans have been submitted to determine
 668 whether they conform with the requirements of the [State] Fire Safety
 669 Code, the Department of Public Health, the life-cycle cost analysis
 670 approved by the Commissioner of Public Works, the State Building
 671 Code and the state and federal standards for design and construction
 672 of public buildings to meet the needs of disabled persons, and if
 673 acceptable a final written approval of such phase shall be sent to the
 674 town or regional board of education and the school building
 675 committee. No phase of a school building project, subject to the
 676 provisions of subsection (c) or (d) of this section, shall go out for
 677 bidding purposes prior to such written approval.

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>from passage</i> | 12-571a |
| Sec. 2 | <i>from passage</i> | 12-806(b)(13) |
| Sec. 3 | <i>from passage</i> | 7-173 |
| Sec. 4 | <i>from passage</i> | 7-174 |
| Sec. 5 | <i>from passage</i> | 7-182 |
| Sec. 6 | <i>from passage</i> | 7-183 |
| Sec. 7 | <i>from passage</i> | 7-185a(c) |
| Sec. 8 | <i>from passage</i> | 32-665(a) |
| Sec. 9 | <i>from passage</i> | 29-296a |
| Sec. 10 | <i>from passage</i> | 29-251a |
| Sec. 11 | <i>from passage</i> | 29-251c(a) |
| Sec. 12 | <i>from passage</i> | 29-251c(c) |
| Sec. 13 | <i>from passage</i> | 29-251c(e) |
| Sec. 14 | <i>from passage</i> | 29-252a(b)(1) |

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| Sec. 15 | <i>from passage</i> | 29-252a(c) and (d) |
| Sec. 16 | <i>from passage</i> | 29-252a(g) |
| Sec. 17 | <i>from passage</i> | 29-256(a) |
| Sec. 18 | <i>from passage</i> | 29-256c |
| Sec. 19 | <i>from passage</i> | 29-256d |
| Sec. 20 | <i>from passage</i> | 29-263(a) |
| Sec. 21 | <i>from passage</i> | 29-305(a) and (b) |
| Sec. 22 | <i>from passage</i> | 29-305(e) |
| Sec. 23 | <i>from passage</i> | 29-306(c) |
| Sec. 24 | <i>from passage</i> | 29-308a |
| Sec. 25 | <i>from passage</i> | 29-309 |
| Sec. 26 | <i>from passage</i> | 29-381a(a) |
| Sec. 27 | <i>from passage</i> | 19a-495(c) |
| Sec. 28 | <i>from passage</i> | 19a-701 |
| Sec. 29 | <i>from passage</i> | 17a-154(c) |
| Sec. 30 | <i>from passage</i> | 10-416(a)(6) |
| Sec. 31 | <i>from passage</i> | 10-416a(a)(6) |
| Sec. 32 | <i>from passage</i> | 10-416b(a)(6) |
| Sec. 33 | <i>from passage</i> | 10-292(a) |

Statement of Purpose:

To implement the Legislative Commissioners' recommendations for technical corrections to the public safety statutes.

[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.]