



General Assembly

January Session, 2011

**Raised Bill No. 999**

LCO No. 3499

\*03499\_\_\_\_\_PS\_\*

Referred to Committee on Public Safety and Security

Introduced by:  
(PS)

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

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

1 Section 1. Section 29-310 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2011*):

3 (a) The Commissioner of Public Safety as State Fire Marshal shall  
4 thoroughly investigate the cause, circumstances and origin of all fires  
5 or explosions to which his or her attention has been called, in  
6 accordance with the provisions of this part, by reason of which any  
7 property has been destroyed or damaged, or any person injured or  
8 killed, and shall especially examine and decide as to whether such fire  
9 was the result of carelessness, design, an incendiary device or any  
10 other criminal act. [He] Said commissioner may take the testimony  
11 under oath of any person supposed to be cognizant of or to have  
12 means of knowledge in relation to the matters as to which an  
13 examination is being made, and shall cause the same to be reduced to  
14 writing and filed in his or her office; and if, in his or her opinion, there  
15 is sufficient evidence to warrant that any person should be charged  
16 with the crime of arson or any other crime, [he] the commissioner shall

17 forthwith submit such evidence, together with the names of the  
18 witnesses and all other information obtained by him or her, to the  
19 proper prosecuting officer. [He] Said commissioner may, in any  
20 investigation, issue subpoenas for the purposes of summoning and  
21 compelling the attendance of witnesses before him or her to testify.  
22 [He] The commissioner may administer oaths or affirmations to  
23 witnesses before him or her, and false swearing by any such witnesses  
24 [therein] shall be perjury. [He] The commissioner may, in the  
25 performance of his or her duties, enter, [by himself or his assistants] in  
26 person or through the assistants of said commissioner, into and upon  
27 the premises or building where any fire or explosion has occurred and  
28 premises thereto adjacent in accordance with the provisions of section  
29 29-311.

30 (b) Whenever it comes to his or her knowledge or to the knowledge  
31 of any local fire marshal that there exists in any building or upon any  
32 premises combustible material or flammable conditions dangerous to  
33 the safety of such building or premises or dangerous to any other  
34 building or property, or conditions that present a fire hazard to the  
35 occupants [thereof] of such building or premises, the commissioner, or  
36 any local fire marshal, obtaining such knowledge, shall order such  
37 material to be forthwith removed or such conditions remedied by the  
38 owner or occupant of such building or premises, and such owner or  
39 occupant shall be subject to the penalties prescribed by section 29-295  
40 and, in addition, [thereto,] shall suffer a penalty of one hundred  
41 dollars a day for each day of neglect, to be recovered in a proper action  
42 in the name of the state.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2011</i>	29-310

**Statement of Purpose:**

To make technical changes to the statutes concerning the State Fire Marshal.

*[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.]*