



Senate Bill No. 889

Public Act No. 11-8

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

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

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 Section 12-571a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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

(b) The eighteen off-track betting branch facilities authorized by subsection (a) of this section may include fifteen facilities which have screens for the simulcasting of off-track betting race programs or jai alai games and other amenities including, but not limited to, restaurants and concessions, provided, on and after June 21, 2010, the fifteen facilities [which] that have simulcasting shall be located in the

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town and city of New Haven, the town of Windsor Locks, the town of East Haven, the town and city of Norwalk, the town and city of Hartford, the town and city of New Britain, the town and city of Bristol, the town and city of Torrington, the town and city of Waterbury, the town and city of Milford, the town and city of New London, the town of Manchester, the town of Windham, the town of Putnam and in the town and city of Bridgeport. The location of each such facility and the addition of simulcasting capability to any existing off-track betting branch facility that did not previously have such capability (1) shall be approved by the executive director with the consent of the Gaming Policy Board, and (2) shall be subject to the prior approval of the legislative body of the town in which such facility is located or is proposed to be located. The division shall report annually to the joint standing committee of the General Assembly having cognizance of matters relating to legalized gambling on the status of the establishment or improvement of the off-track betting branch facility pursuant to this subsection.

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

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

Sec. 3. Section 7-173 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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

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

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

Such chief of police or [first selectman] chief executive officer, as the case may be, shall, on behalf of the executive director of the Division of Special Revenue, make or cause to be made an investigation of the qualifications of the applicant and the facts stated in the application and, if such chief of police or [first selectman] chief executive officer determines that the applicant is qualified to hold, operate and conduct a bazaar or raffle under the provisions of sections 7-170 to 7-186, inclusive, that the members of the applicant designated in the application to hold, operate or conduct such bazaar or raffle are electors of such municipality, bona fide active members of the applicant and persons of good moral character and have never been convicted of a felony and that such bazaar or raffle is to be held, operated and conducted in accordance with the provisions of said sections, such chief of police or [first selectman] chief executive officer shall, with the approval of the executive director, issue a permit to

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such applicant. Upon issuing such permit, such chief of police or [first selectman] chief executive officer shall forward to the executive director the state's share of the permit fee, if any. Any investigation required pursuant to this section of the qualifications of an applicant for a "Class No. 7" permit, authorized pursuant to section 7-175, shall be made by the executive director of the Division of Special Revenue.

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

Any sponsoring organization [which] that holds, operates or conducts any bazaar or raffle, and its members who were in charge thereof, shall furnish to the chief of police of the municipality or to the [first selectman] chief executive officer, as the case may be, a verified statement, in duplicate, showing (1) the amount of the gross receipts derived from each bazaar or raffle, (2) in the case of a raffle, the number and price of tickets sold, (3) each item of expense incurred or paid, and each item of expenditure made or to be made and the name and address of each person to whom each such item has been or is to be paid, (4) the net profit derived from each bazaar or raffle and the uses to which the net profit has been or is to be applied, and (5) a list of prizes of a retail value of fifty dollars or more offered or given with the amount paid for each prize purchased or the retail value for each prize donated and the names and addresses of the persons to whom the prizes were given. Such report shall be furnished during the next succeeding month. The chief of police or [first selectman] chief executive officer, as the case may be, shall forward the original copy of such report to the executive director of the Division of Special Revenue, who shall keep it on file and available for public inspection for a period of one year thereafter. The sponsoring organization shall maintain and keep any books and records that may be necessary to substantiate the particulars of such report, which books and records shall be preserved for at least one year from the date of such report

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and shall be available for inspection. Such report shall be certified to under penalty of false statement by the three persons designated in the permit application as being responsible for the bazaar or raffle. The report required pursuant to this section for a "Class No. 7" raffle authorized pursuant to section 7-175, shall be submitted to the executive director of the Division of Special Revenue during the next succeeding month following the final prize drawing.

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

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

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

(c) Notwithstanding the provisions of section 7-177, any organization conducting a bazaar may operate "fifty-fifty" coupon games each day of a permitted bazaar event and may award cash prizes of fifty per cent of "fifty-fifty" coupon game sales for each coupon drawing conducted. Not more than three scheduled drawings may be held on any day on which a bazaar is permitted. A "fifty-fifty" coupon game shall be operated from an authorized bazaar booth, subject to the regulation of the executive director of the Division of Special Revenue and shall allow for the sale of "fifty-fifty" coupons at a

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predetermined uniform price. Each "fifty-fifty" coupon shall be consecutively numbered and shall have a correspondingly numbered stub. Each sponsoring organization shall provide different colored coupons for each drawing and shall award one prize for each drawing held. Each organization conducting such games shall conspicuously post, at each bazaar booth at which such games are conducted, a notice or notices which shall include the dates, times and places of any "fifty-fifty" coupon drawings, as well as the prices and colors of coupons to be sold for each drawing. The executive director shall prescribe the form of such notice which shall contain the following statement: "Holders of coupons must be present to claim a prize." Each such organization shall account for each coupon printed and sold for each drawing and shall announce the amount of sales and the prize to be awarded immediately prior to each drawing. The sponsoring organization shall preserve all sold and unsold coupons or stubs for a period of at least one year from the date of the verified statement required pursuant to section 7-182, as amended by this act. At the conclusion of a bazaar, each organization conducting such games, and its members who were in charge thereof, shall furnish to the chief of police of the municipality or to the [first selectman] chief executive officer, as the case may be, a verified statement, prescribed by the executive director of the Division of Special Revenue, in duplicate, showing (1) the total number of coupons purchased and sold for each "fifty-fifty" coupon game drawing, and (2) the total number and amount of prizes awarded and the names and addresses of the persons to whom the prizes were awarded. Such report shall be furnished during the next succeeding month. The chief of police or [first selectman] chief executive officer, as the case may be, shall forward the original copy of such report to the executive director, who shall keep it on file and available for public inspection for a period of one year thereafter. Such report shall be certified to under penalty of false statement by the three persons designated in the permit application as being responsible for the bazaar.

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

(a) Except as otherwise provided in sections 32-650 to 32-668, inclusive, the following provisions of the general statutes, including regulations adopted thereunder, shall not apply to the overall project: Section 3-14b, subdivisions (12), (13) and (14) of section 4-166, sections 4-167 to 4-174, inclusive, 4-181a, 4a-1 to 4a-59a, inclusive, 4a-63 to 4a-76, inclusive, title 4b, section 16a-31, chapters 97a, 124 and 126, sections 14-311 to 14-314c, inclusive, 19a-37, 22a-16 and subsection (a) of section 22a-19. For the purposes of section 22a-12, construction plans relating to the overall project shall not be considered construction plans required to be submitted by state agencies to the Council on Environmental Quality. Notwithstanding any provision of any special act, charter, ordinance, home rule ordinance or chapter 98 no provision of any such act, charter or ordinance or said chapter 98, concerning licenses, permits or approvals by a political subdivision of the state pertaining to building demolition or construction shall apply to the overall project and, notwithstanding any provision of the general statutes, the State Building Inspector and the State Fire Marshal shall have original jurisdiction with respect to the administration and enforcement of the State Building Code and the [State] Fire Safety Code, respectively, with respect to all aspects of the overall project, including, without limitation, the conduct of necessary reviews and inspections and the issuance of any building permit, certificate of occupancy or other necessary permits or certificates related to building construction, occupancy or fire safety. For the purposes of part III of chapter 557, the stadium facility project, the convention center project and the parking project shall be deemed to be a public works project and consist of public buildings except that the provisions relating to payment of prevailing wages to workers in connection with a public works project including, but not limited to, section 31-53 shall not

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apply to the stadium facility project, the convention center project and the parking project if the project manager or the prime construction contractor has negotiated other wage terms pursuant to a project labor agreement. The provisions of section 2-32c and subsection (c) of section 2-79a shall not apply to any provisions of public act 99-241, as amended by public act 00-140, or chapter 588x concerning the overall project. Any building permit application with respect to the overall project shall be exempt from the assessment of an education fee under subsection (b) of section 29-252a, as amended by this act.

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

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

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

As used in this section, "program requirements" means any program or part of a program which is required by law. The Commissioner of Public Safety, in consultation with the Codes and Standards Committee, shall conduct a review of existing regulations of each state agency to determine whether any provision of such regulations conflicts with the State Building Code, the [State] Fire Safety Code, the State Fire Prevention Code or any other fire safety regulation adopted under this chapter. The commissioner shall make

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recommendations to the department head of any state agency which has regulations that are in conflict with the State Building Code, the [State] Fire Safety Code, the State Fire Prevention Code or any other fire safety regulation adopted under this chapter for the amendment of such regulations so they no longer are in conflict with said codes or any such fire safety regulations. Not later than ninety days following receipt of such recommendations, the department head of such state agency shall initiate the process under chapter 54 to amend or repeal such regulation in order to bring such regulation into compliance with the State Building Code, the [State] Fire Safety Code, the State Fire Prevention Code or any other fire safety regulation adopted under this chapter as the case may be, unless the amendment or repeal of such regulation would result in a conflict with the applicable agency's program requirements. The Commissioner of Public Safety, in consultation with the Codes and Standards Committee, shall report such recommendations to the joint standing committee of the General Assembly having cognizance of matters relating to public safety.

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

(a) As used in subsections (a) to (c), inclusive, of this section "prior approval of the Code Training and Education Board of Control" means approval by the board of a fiscal year budget prepared by the Commissioner of Public Safety. The commissioner shall develop a program to sponsor (1) training and educational programs in the mechanics and application of the State Building Code and the [State] Fire Safety Code conducted for any municipal or state code official, or any candidate for said positions, and (2) continuing educational programs in the mechanics and application of the State Building Code and the [State] Fire Safety Code for any architect, engineer, landscape architect, interior designer, builder, contractor or superintendent of

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construction doing business in this state, and shall determine the equipment necessary to sponsor such training and educational programs.

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

(c) The commissioner shall establish a program of education and training in the mechanics and application of the State Building Code and the [State] Fire Safety Code conducted for any municipal or state code official, or any candidate for said positions, and a continuing educational program in the mechanics and application of the State Building Code and the [State] Fire Safety Code for any architect, engineer, landscape architect, interior designer, builder, contractor or superintendent of construction doing business in this state.

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

(e) The Commissioner of Public Safety shall annually submit a report of the amount of funds received pursuant to subsection (d) of this section, or of any other funds received by the commissioner for the purposes of code training and education under this section, to the cochairpersons and ranking members of the joint standing committees of the General Assembly having cognizance of matters relating to finance, revenue and bonding and appropriations. All direct expenses incurred in the conduct of the code training and educational programs, or of the operation, maintenance and repair of facilities, food services and other auxiliary services incurred in the conduct of the code training and educational programs, shall be charged, and any cost of equipment for code training and educational programs may be charged, against the funds appropriated for the code training and

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educational programs on order of the Comptroller. Any balance of receipts after expenditures shall be retained by the commissioner and shall be used solely for the code training and educational programs under this section and for the acquisition, as provided in section 4b-21, alteration and repairs of real property for educational facilities, provided repairs, alterations or additions to educational facilities costing fifty thousand dollars or less shall require the approval of the Commissioner of Public Works and capital projects costing over fifty thousand dollars shall require the approval of the General Assembly, or when the General Assembly is not in session, of the Finance Advisory Committee. Funds appropriated to or received by the Commissioner of Public Safety for the code training and educational programs shall also be used for (1) (A) the operation, maintenance and repair of auxiliary services facilities, and (B) any other activities related to training and educational programs in the mechanics and application of the State Building Code and the [State] Fire Safety Code conducted for any municipal or state code official, or any candidate for said positions, and (2) continuing educational programs in the mechanics and application of the State Building Code and the [State] Fire Safety Code for any architect, engineer, landscape architect, interior designer, builder, contractor or superintendent of construction doing business in this state. No funds shall be used for the purposes of this section without prior approval of the Code Training and Education Board of Control, established pursuant to subsection (b) of this section.

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

(b) (1) No state building or structure or addition to a state building or structure: (A) That exceeds the threshold limits contained in section 29-276b and requires an independent structural review under said section, or (B) that includes residential occupancies for twenty-five or

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more persons, shall be constructed until an application has been filed by the commissioner of an agency authorized to contract for the construction of buildings under the provisions of section 4b-1 or 4b-51 with the State Building Inspector and a building permit issued by the State Building Inspector. Two copies of the plans and specifications for the building, structure or addition to be constructed shall accompany the application. The commissioner of any such agency shall certify that such plans and specifications are in substantial compliance with the provisions of the State Building Code and, where applicable, with the provisions of the [State] Fire Safety Code. The State Building Inspector shall review the plans and specifications for the building, structure or addition to be constructed to verify their compliance with the requirements of the State Building Code and, not later than thirty days after the date of application, shall issue or refuse to issue the building permit, in whole or in part. The State Building Inspector may request that the State Fire Marshal review such plans to verify their compliance with the [State] Fire Safety Code.

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

(c) All state agencies authorized to contract for the construction of any buildings or the alteration of any existing buildings under the provisions of section 4b-1 or 4b-51 shall be responsible for substantial compliance with the provisions of the State Building Code, the [State] Fire Safety Code and the regulations lawfully adopted under said codes for such building or alteration to such building, as the case may be. Such agencies shall apply to the State Building Inspector for a certificate of occupancy for all buildings or alterations of existing buildings for which a building permit is required under subsection (b) of this section and shall certify compliance with the State Building Code, the [State] Fire Safety Code and the regulations lawfully

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adopted under said codes for such building or alteration to such building, as the case may be, to the State Building Inspector prior to occupancy or use of the facility.

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

(2) No state building or structure erected or altered on and after July 1, 1989, for which a building permit has not been issued pursuant to subsection (b) of this section shall be occupied or used in whole or in part, until the commissioner of the agency erecting or altering the building or structure certifies to the State Building Inspector that the building or structure substantially complies with the provisions of the State Building Code, the [State] Fire Safety Code and the regulations lawfully adopted under said codes for such building or alteration to such building, as the case may be.

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

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

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

(a) In order to make the State Building Code and the [State] Fire Safety Code more responsive to present economic conditions, to promote reduction in the cost of construction of homes and other buildings, thereby creating more jobs in the construction industry and promoting home ownership, as well as to enable the citizens of the state to realize the benefits of the latest technology in energy conservation in the design and construction of homes and other buildings, the State Building Inspector and Codes and Standards Committee, in conjunction with the Commissioner of Public Safety, shall thoroughly review and revise the State Building Code and the [State] Fire Safety Code, with an emphasis on performance rather than design specifications. In the course of such review, the State Building Inspector and the Codes and Standards Committee shall develop a rehabilitation subcode. The provisions of such subcode shall include, but not be limited to, the identification and standardization of economically feasible rehabilitation standards and modifications that ensure the public health, safety and welfare, and protect the environment. Such subcode shall be included in any revision of the State Building Code.

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

Not later than January 1, 2000, the State Building Inspector and the State Fire Marshal, in conjunction with the Codes and Standards Committee, shall make amendments to the State Building Code and the [State] Fire Safety Code concerning bed and breakfast establishments. Said amendments shall: (1) Be adopted in accordance with the provisions of chapter 54; (2) define the term "bed and breakfast"; and (3) be designed to preserve the unique character of

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such establishments, contain the cost of conversion of a home to such an establishment and support the tourism industry in the state, provided such amendments shall not affect the safe design, use or construction of such establishments.

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

Not later than January 1, 2008, the State Building Inspector and the State Fire Marshal, in conjunction with the Codes and Standards Committee, shall make amendments to the State Building Code and the [State] Fire Safety Code concerning floor proximity path marking devices or related devices intended for installation as a system to identify the path of emergency egress. The amendments shall require that a path marking system be installed within eighteen inches of the floor, provide a visible delineation of the path of travel along the designated exit access and be essentially continuous, except as interrupted by doorways, hallways, corridors or other such architectural features. The amendments shall provide which materials may be used for path marking, and such materials shall include, but not be limited to, electrical photo luminescent or self-luminous material. The amendments shall require installation of a path marking system in new construction in (1) Group A occupancies with an occupant load of more than three hundred persons, (2) Group B medical occupancies, (3) Group E occupancies, (4) Group I-1 occupancies, (5) Group I-2 occupancies, (6) Group R-1 hotels and motels, and (7) Group R-2 dormitories.

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

(a) Except as provided in subsection (h) of section 29-252a and the State Building Code adopted pursuant to subsection (a) of section 29-

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252, after October 1, 1970, no building or structure shall be constructed or altered until an application has been filed with the building official and a permit issued. Such permit shall be issued or refused, in whole or in part, within thirty days after the date of an application. No permit shall be issued except upon application of the owner of the premises affected or the owner's authorized agent. No permit shall be issued to a contractor who is required to be registered pursuant to chapter 400, for work to be performed by such contractor, unless the name, business address and Department of Consumer Protection registration number of such contractor is clearly marked on the application for the permit, and the contractor has presented such contractor's certificate of registration as a home improvement contractor. Prior to the issuance of a permit and within said thirty-day period, the building official shall review the plans of buildings or structures to be constructed or altered, including, but not limited to, plans prepared by an architect licensed pursuant to chapter 390, a professional engineer licensed pursuant to chapter 391 or an interior designer registered pursuant to chapter 396a acting within the scope of such license or registration, to determine their compliance with the requirements of the State Building Code and, where applicable, the local fire marshal shall review such plans to determine their compliance with the [State] Fire Safety Code. Such plans submitted for review shall be in substantial compliance with the provisions of the State Building Code and, where applicable, with the provisions of the [State] Fire Safety Code.

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

(a) Each local fire marshal and the State Fire Marshal, for the purpose of satisfying themselves that all pertinent statutes and regulations are complied with, may inspect in the interests of public safety all buildings, facilities, processes, equipment, systems and other

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areas regulated by the [State] Fire Safety Code and the State Fire Prevention Code within their respective jurisdictions.

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

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

(e) The State Fire Marshal may adopt amendments to the [State] Fire Safety Code and the State Fire Prevention Code regarding requirements for the frequency of inspections of different building uses regulated by the codes and set forth a schedule of inspections, except for inspections of residential buildings designed to be occupied by three or more families, that are less frequent than yearly if the interests of public safety can be met by less frequent inspections.

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

(c) If the local fire marshal or a local police officer determines that

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

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

The State Fire Marshal shall set priorities for projects funded by the proceeds of the sale of bonds of the state authorized for the improvement or renovation of state residential facilities or institutions in compliance with the [State] Fire Safety Code.

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

The Codes and Standards Committee shall establish a procedure

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

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

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

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

(c) The commissioner may waive any provisions of the regulations affecting the physical plant requirements of residential care homes if the commissioner determines that such waiver would not endanger the health, safety or welfare of any resident. The commissioner may impose conditions, upon granting the waiver, that assure the health, safety and welfare of residents, and may revoke the waiver upon a finding that the health, safety or welfare of any resident has been

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jeopardized. The commissioner shall not grant a waiver that would result in a violation of the [State] Fire Safety Code or State Building Code. The commissioner may adopt regulations, in accordance with chapter 54, establishing procedures for an application for a waiver pursuant to this subsection.

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

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

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

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

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

(6) "Qualified rehabilitation expenditures" means any costs incurred for the physical construction involved in the rehabilitation of an historic home, but excludes: (A) The owner's personal labor, (B) the cost of site improvements, unless to provide building access to persons

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with disabilities, (C) the cost of a new addition, except as may be required to comply with any provision of the State Building Code or the [State] Fire Safety Code, (D) any cost associated with the rehabilitation of an outbuilding, unless such building contributes to the historical significance of the historic home, and (E) any nonconstruction cost such as architectural fees, legal fees and financing fees;

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

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

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

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

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

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

Approved May 24, 2011