



**Substitute Senate Bill No. 929**

**Public Act No. 13-256**

**AN ACT TRANSFERRING CERTAIN FUNCTIONS AND OPERATIONS OF THE DEPARTMENT OF CONSTRUCTION SERVICES, REGULATING SPECIAL EFFECTS DISPLAYS AND REVISING ROOF PITCH REQUIREMENTS FOR SCHOOLS.**

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

Section 1. Section 29-344 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Any person engaged in keeping or storing any explosives shall, before engaging in the keeping or storing of such explosives, make a report to the Commissioner of [Construction Services] Emergency Services and Public Protection stating: The location of the magazine, if existing, or, in case of a new magazine, the proposed location of such magazine; the kind of explosives that are kept or stored or intended to be kept or stored and the maximum quantity that is intended to be kept or stored therein; and the distance such magazine is located or intended to be located from the nearest building or highway.

Sec. 2. Section 29-345 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Each person selling or giving away any explosive shall first ascertain that the purchaser or donee of such explosives has obtained a

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license and permit required by section 29-349, as amended by this act, and shall keep a record in which shall be entered an accurate account of each disposition by such person in the course of business, or otherwise, of any explosive. Such record shall show, in legible writing to be entered therein at the time of disposition of the explosive, a history of such transaction, showing the name and quantity of the explosive, the name and place of residence and business of the purchaser or donee, and the name and address of the individual to whom delivered. Such record shall be kept by such person in his principal office or place of business in this state and shall be subject to examination by any military authority, the Commissioner of [Construction Services, his] Emergency Services and Public Protection, the commissioner's deputies and the police officers of the municipality where situated. Any such authority may at any time require any such dealer to produce such record for the year previous. Nothing in this section shall apply to any transaction when such explosive is to be shipped by common carrier to a point outside this state and for use outside this state.

Sec. 3. Section 29-346 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Any person not referred to in sections 29-344 and 29-345, as amended by this act, having in his possession any explosive, shall report the amount and kind thereof to the Commissioner of [Construction Services] Emergency Services and Public Protection within ten days after purchase of the same and the purpose for which such explosive is to be used.

Sec. 4. Section 29-349 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) The Commissioner of [Construction Services] Emergency Services and Public Protection shall have exclusive jurisdiction in the

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preparation of and may enforce reasonable regulations for the safe and convenient storage, transportation and use of explosives and blasting agents used in connection therewith, which regulations shall deal in particular with the quantity and character of explosives and blasting agents to be stored, transported and used, the proximity of such storage to inhabited dwellings or other occupied buildings, public highways and railroad tracks, the character and construction of suitable magazines for such storage, protective measures to secure such stored explosives and blasting agents and the abatement of any hazard that may arise incident to the storage, transportation or use of such explosives and blasting agents.

(b) No person, firm or corporation shall engage in any activity concerning the storage, transportation or use of explosives unless such person, firm or corporation has obtained a license therefor from the Commissioner of [Construction Services] Emergency Services and Public Protection. Such license shall be issued upon payment of a fee of two hundred dollars and upon submission by the applicant of evidence of good moral character and of competence in the control and handling of explosives, provided, if such license is for the use of explosives, it may be issued only to an individual person after demonstration that such individual is technically qualified to detonate explosives. Any such license to use explosives shall bear both the fingerprints of the licensee obtained by the Commissioner of [Construction Services] Emergency Services and Public Protection at the time of licensing, and the licensee's photograph, furnished by the licensee, of a size specified by the commissioner and taken not more than one year prior to the issuance of the license. Each such license shall be valid for one year from the date of its issuance, unless sooner revoked or suspended, and may be renewed annually thereafter upon a payment of one hundred fifty dollars.

(c) The Commissioner of [Construction Services] Emergency

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Services and Public Protection shall require any applicant for a license under this section to submit to state and national criminal history records checks. The criminal history records checks required pursuant to this subsection shall be conducted in accordance with section 29-17a.

(d) No person shall manufacture, keep, store, sell or deal in any explosives unless such person has a valid license under the provisions of subsection (b) of this section and obtains from the Commissioner of [Construction Services] Emergency Services and Public Protection or from the fire marshal of the town where such business is conducted a written permit therefor, which permit shall not be valid for more than one year and for which such person shall pay a fee of one hundred dollars. If the permit is issued by the Commissioner of [Construction Services] Emergency Services and Public Protection, the commissioner shall forward a copy thereof to the local fire marshal. Such permit so granted shall definitely state the location of the building where such business is to be carried on or such explosive deposited and shall state that such building or premises complies with the regulations provided for in this section.

(e) No person shall procure, transport or use any explosives unless such person has a valid license under subsection (b) of this section and has obtained a written permit therefor signed by the Commissioner of [Construction Services] Emergency Services and Public Protection or by the fire marshal of the town where such explosive is to be used, specifying the name of the purchaser, the amount to be purchased and transported and the purpose for which it is to be used. Any such permit to use explosives shall state the number of years the permittee has been engaged in blasting activity. Such permit shall be valid for such period, not longer than one year, as is required to accomplish the purpose for which it was obtained. No carrier shall transport any such explosive until the vehicle transporting the explosive has been inspected and approved by the Department of [Construction Services]

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Emergency Services and Public Protection and unless such written permit accompanies the same and no person shall have in such person's possession any such explosive unless such person has a license and permit therefor. The fee for such inspection shall be one hundred dollars. The fee for such permit shall be sixty dollars. Each person who has in such person's custody or possession any explosive or any detonating caps for explosives shall keep the same either under personal observation or securely locked up.

(f) Any license or permit issued under the provisions of this section may be suspended or revoked by the issuing authority for violation by the licensee or permittee of any provision of law or regulation relating to explosives or conviction of such licensee or permittee of any felony or misdemeanor. Suspension or revocation of a license shall automatically suspend or revoke the permit and the suspension or revocation of a permit shall automatically suspend or revoke the license.

(g) Any person who, by himself or herself or by such person's employee or agent or as the employee or agent of another, violates any provision of this section, or any regulation [made] adopted by the Commissioner of [Construction Services] Emergency Services and Public Protection pursuant to the provisions of this section, shall be fined not more than ten thousand dollars or imprisoned not more than ten years, or both.

(h) As used in this section, "blasting agent" means any material, composition or mixture intended for blasting, consisting substantially of a fuel and oxidizer, none of the ingredients of which is an explosive, as defined in section 29-343, and the finished product of which as mixed and packaged for use or shipment cannot be detonated by the test procedure established by regulations adopted by the Commissioner of [Construction Services] Emergency Services and Public Protection in accordance with chapter 54.

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(i) Notwithstanding the provisions of this section, the Labor Commissioner shall regulate the storage, transportation and use of explosives and blasting agents in places of employment insofar as such activities relate to employee health and safety, provided such regulations shall be no less stringent than those prepared and enforced by the Commissioner of [Construction Services] Emergency Services and Public Protection pursuant to this section.

(j) The [State Fire Marshal] Commissioner of Emergency Services and Public Protection may grant variations or exemptions from, or approve equivalent or alternate compliance with, particular provisions of any regulation adopted under this section where strict compliance with such provisions would entail practical difficulty or unnecessary hardship or is otherwise adjudged unwarranted, provided any such variation, exemption, equivalent or alternate compliance shall, in the opinion of the [State Fire Marshal] commissioner, secure the public safety.

Sec. 5. Section 29-355 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

If any person considers himself aggrieved by the doings of the Commissioner of [Construction Services] Emergency Services and Public Protection or the fire marshal under section 29-349, as amended by this act, or 29-354, he may apply, within thirty days, to the Superior Court, which may grant appropriate relief; but nothing contained herein shall be construed to prevent the transportation of gunpowder, or its deposit for transportation during a period of not over forty-eight hours.

Sec. 6. Section 29-357 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) Except as provided in subsection (b) of this section, no person,

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firm or corporation shall offer for sale, expose for sale, sell at retail or use or explode or possess with intent to sell, use or explode any fireworks. A person who is sixteen years of age or older may offer for sale, expose for sale, sell at retail, purchase, use or possess with intent to sell or use sparklers or fountains of not more than one hundred grams of pyrotechnic mixture per item, which are nonexplosive and nonaerial, provided (1) such sparklers and fountains do not contain magnesium, except for magnalium or magnesium-aluminum alloy, (2) such sparklers and fountains containing any chlorate or perchlorate salts do not exceed five grams of composition per item, and (3) when more than one fountain is mounted on a common base, the total pyrotechnic composition does not exceed two hundred grams.

(b) The [State Fire Marshal] Commissioner of Emergency Services and Public Protection shall adopt reasonable regulations, in accordance with chapter 54, for the granting of permits for supervised displays of fireworks or for the indoor use of pyrotechnics, sparklers and fountains for special effects by municipalities, fair associations, amusement parks, other organizations or groups of individuals or artisans in pursuit of their trade. Such permit may be issued upon application to said [State Fire Marshal] commissioner and after (1) inspection of the site of such display or use by the local fire marshal to determine compliance with the requirements of such regulations, and (2) approval of the chiefs of the police and fire departments, or, if there is no police or fire department, of the first selectman, of the municipality wherein the display is to be held as is provided in this section. No such display shall be handled or fired by any person until such person has been granted a certificate of competency by the [State Fire Marshal] Commissioner of Emergency Services and Public Protection, in respect to which a fee of two hundred dollars shall be payable to the State Treasurer when issued and which may be renewed every three years upon payment of a fee of one hundred ninety dollars payable to the State Treasurer, provided such certificate may be

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suspended or revoked by said [marshal] commissioner at any time for cause. Such certificate of competency shall attest to the fact that such operator is competent to fire a display. Such display shall be of such a character and so located, discharged or fired as in the opinion of the chiefs of the police and fire departments or such selectman, after proper inspection, will not be hazardous to property or endanger any person or persons. In an aerial bomb, no salute, report or maroon may be used that is composed of a formula of chlorate of potash, sulphur, black needle antimony and dark aluminum. Formulas that may be used in a salute, report or maroon are as follows: (A) Perchlorate of potash, black needle antimony and dark aluminum, and (B) perchlorate of potash, dark aluminum and sulphur. No high explosive such as dynamite, fulminate of mercury or other stimulator for detonating shall be used in any aerial bomb or other pyrotechnics. Application for permits shall be made in writing at least fifteen days prior to the date of display, on such notice as the [State Fire Marshal] Commissioner of Emergency Services and Public Protection by regulation prescribes, on forms furnished by the [State Fire Marshal] commissioner, and a fee of one hundred dollars shall be payable to the State Treasurer with each such application. After such permit has been granted, sales, possession, use and distribution of fireworks for such display shall be lawful for that purpose only. No permit granted hereunder shall be transferable. Any permit issued under the provisions of this section may be suspended or revoked by the [State Fire Marshal] Commissioner of Emergency Services and Public Protection or the local fire marshal for violation by the permittee of any provision of the general statutes, any regulation or any ordinance relating to fireworks.

(c) The [State Fire Marshal] Commissioner of Emergency Services and Public Protection may grant variations or exemptions from, or approve equivalent or alternate compliance with, particular provisions of any regulation issued under the provisions of subsection (b) of this

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section where strict compliance with such provisions would entail practical difficulty or unnecessary hardship or is otherwise adjudged unwarranted, provided any such variation, exemption, approved equivalent or alternate compliance shall, in the opinion of the [State Fire Marshal] commissioner, secure the public safety and shall be made in writing.

(d) Any person, firm or corporation violating the provisions of this section shall be guilty of a class C misdemeanor, except that (1) any person, firm or corporation violating the provisions of subsection (a) of this section by offering for sale, exposing for sale or selling at retail or possessing with intent to sell any fireworks with a value exceeding ten thousand dollars shall be guilty of a class A misdemeanor, and (2) any person, firm or corporation violating any provision of subsection (b) of this section or any regulation adopted thereunder shall be guilty of a class A misdemeanor, except if death or injury results from any such violation, such person, firm or corporation shall be guilty of a class C felony.

Sec. 7. Section 29-359 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) Before any person, firm or corporation or any agent or employee thereof may conduct a fireworks display or use pyrotechnics for indoor special effects, such person, firm or corporation shall furnish proof of financial responsibility to satisfy claims for damages on account of any physical injury or property damage which may be suffered by any person by reason of any act or omission on the part of such person, firm or corporation, any agent or employee thereof, any independent contractor firing the display or using such pyrotechnics, any fair or exposition association, any sponsoring organization or committee, any owner or lessee of any premises used by the named insured and any public authority granting a permit to the named insured, in the form of a liability insurance policy evidenced by a

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certificate of insurance filed with the Insurance Commissioner at least fifteen days prior to the date of display or use and acceptable to the commissioner. Such policy shall cover public liability arising out of the operation of the fireworks display or from the use of pyrotechnics for special effects in the minimum amount of one million dollars per accident for bodily injury and property damage, and shall not limit coverage within the applicable statutory period of covered liability. The insurer issuing such policy shall agree in writing to deliver to the Insurance Commissioner not less than ten days' written notice of any cancellation of such insurance which is to become effective prior to the termination of the display or use.

(b) The Commissioner of [Construction Services] Emergency Services and Public Protection shall adopt regulations in accordance with the provisions of chapter 54 defining the term "pyrotechnics" for purposes of subsection (a) of this section.

Sec. 8. Section 29-361 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Nothing in sections 29-356 to 29-366, inclusive, as amended by this act, shall be construed to prohibit the sale by any resident manufacturer, wholesaler, dealer or jobber, at wholesale, of such fireworks as are not herein prohibited, or the sale of any kind of fireworks, provided the same are to be shipped directly out of state, in accordance with United States Department of Transportation regulations covering the transportation of explosives and other dangerous articles by motor, rail and water; or the possession, sale or use of signals necessary for the safe operation of railroads or other classes of public or private transportation, or of illuminating devices for photographic use, or of illuminating torches for parades or ceremonial events, nor shall the provisions of said sections apply to the military or naval forces of the United States or the armed forces of the state, or to peace officers in the performance of their official duties, nor

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prohibit the sale or use of blank cartridges for ceremonial, theatrical or athletic events or for training dogs, or the use of fireworks solely for agricultural purposes under conditions approved by the Commissioner of Emergency Services and Public Protection or the local [or State Fire Marshal] fire marshal.

Sec. 9. Section 29-362 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

The [State Fire Marshal] Commissioner of Emergency Services and Public Protection or a local fire marshal shall seize, take, store, remove or cause to be removed, at the expense of the owner, all stocks of fireworks or combustibles offered or exposed for sale, stored, held or kept in violation of sections 29-356 to 29-366, inclusive, as amended by this act. When any fireworks have been seized, the superior court having jurisdiction, shall expeditiously cause to be left at the place where such fireworks were seized, if such place is a dwelling house, store, shop or other building, and also to be left with or at the usual place of abode of the person named therein as the owner or keeper of such fireworks, a summons notifying him or her and all others whom it may concern to appear before such court, at a place and time named in such notice, which time shall be not less than six nor more than twelve days after the posting and service thereof, then and there to show cause, if any, why such fireworks should not be adjudged a nuisance. Such summons shall describe such articles with reasonable certainty, and state when and where the same were seized. If any person named in such summons or any person claiming any interest in the same appears, he or she shall be made a party defendant in such case. The informing officer or the complainants may appear and prosecute such complaint and, if the court finds the allegations of such complaint to be true and that such fireworks or any of them have been kept in violation of any provision of sections 29-356 to 29-366, inclusive, as amended by this act, judgment shall be rendered that

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such articles are a nuisance, and execution shall issue that the same be destroyed together with the crates, boxes or vessels containing the same. The court shall not require storage of the fireworks pending final disposition of the case and shall order the fireworks to be destroyed upon their being inventoried, photographed and described in a sworn affidavit. Such inventory, photograph, description and sworn affidavit shall be sufficient evidence for the purposes of identification of the seized items at any subsequent court proceeding.

Sec. 10. Section 29-364 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

No person, firm or corporation may engage in the business of manufacturer, wholesaler, dealer or jobber of fireworks, under the provisions of section 29-361, as amended by this act, until such manufacturer, wholesaler, dealer or jobber has received a license therefor for each location where the business is to be conducted. All licenses shall be issued upon receipt of the application therefor upon license forms provided by the [State Fire Marshal] Commissioner of Emergency Services and Public Protection, which forms shall include such information as said [marshal] commissioner requires. The [State Fire Marshal] Commissioner of Emergency Services and Public Protection shall prescribe the number of copies of each license form to be executed and the distribution of such copies. No license shall be issued until the location has been inspected by the licensing authority and unless reasonable precautions have been taken to eliminate hazards to life and property. All licenses issued under the provisions of this section shall be used only by the person, firm or corporation to whom they are issued and shall not be transferable. The [State Fire Marshal] Commissioner of Emergency Services and Public Protection may refuse to issue such a license if the [State Fire Marshal] commissioner determines that the applicant has previously been convicted of a felony or misdemeanor as a result of a violation of any

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provision of state or federal law relating to the use, transport, sale, manufacture, storage or possession of explosives, fireworks, explosive devices, illegal drugs or controlled substances. Any license issued under the provisions of this section may be suspended or revoked by the licensing authority, after notice and opportunity for hearing, for any violation by the licensee of any provision of the general statutes or any regulation or ordinance relating to fireworks or conviction of such licensee of any felony or misdemeanor as a result of a violation of any provision of state or federal law relating to the use, transport, sale, manufacture, storage, or possession of explosives, fireworks, explosive devices, illegal drugs or controlled substances.

Sec. 11. Section 29-365 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

The fee to be paid to the licensing authority upon each application shall be as follows: For a fireworks manufacturing license, two hundred dollars; for a dealer, wholesaler and jobber, two hundred dollars. Fees collected by the [State Fire Marshal] Commissioner of Emergency Services and Public Protection shall be paid to the State Treasurer.

Sec. 12. Subsection (a) of section 29-367 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) The Commissioner of [Construction Services] Emergency Services and Public Protection shall make and enforce, and may amend, reasonable regulations concerning the safe design, construction, manufacture, testing, certification, storage, sale, shipping, operation and launching of rockets propelled by rocket motors, including, but not limited to, solid, liquid and cold propellant, hybrid, steam or pressurized liquid rocket motors. In adopting such regulations, said commissioner may be guided by recognized national

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standards for the prevention of injury to life and damage to property and protection of hazards incident to the design, construction, manufacture, testing, storage, sale, shipping, operation and launching of such rockets.

Sec. 13. Subsection (a) of section 29-367 of the general statutes, as amended by section 18 of public act 09-177, sections 4 and 6 of public act 10-54, section 90 of public act 11-51 and sections 3 and 4 of public act 12-60, is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

(a) The Commissioner of [Construction Services] Emergency Services and Public Protection shall adopt, and may amend, reasonable regulations, in accordance with the provisions of chapter 54, concerning the safe design, construction, manufacture, testing, certification, storage, sale, shipping, operation and launching of rockets propelled by rocket motors, including, but not limited to, solid, liquid and cold propellant, hybrid, steam or pressurized liquid rocket motors. Such regulations shall [be incorporated into the State Fire Prevention Code and] include provisions for the prevention of injury to life and damage to property and protection of hazards incident to the design, construction, manufacture, testing, storage, sale, shipping, operation and launching of such rockets. The commissioner shall enforce such regulations.

Sec. 14. Section 29-368 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

The Commissioner of [Public Safety] Emergency Services and Public Protection may grant variations or exemptions from, or approve equivalent or alternate compliance with, particular provisions of any regulation issued under the provisions of section 29-367, as amended by this act, where strict compliance with such provisions would entail practical difficulty or unnecessary hardship or is otherwise adjudged

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unwarranted, provided any such variation, exemption, approved equivalent or alternate compliance shall, in the opinion of said commissioner, secure the public safety.

Sec. 15. Section 29-369 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Any person aggrieved by any such regulation or any act of [said commissioner] the Commissioner of Emergency Services and Public Protection in enforcing the same may apply for relief to the superior court for the judicial district of Hartford or for the judicial district in which such person resides [ ] or, if such court is not in session, to any judge thereof, which court or judge may grant appropriate relief.

Sec. 16. (NEW) (*Effective October 1, 2013*) (a) The Commissioner of Emergency Services and Public Protection shall adopt regulations, in accordance with chapter 54 of the general statutes, for the granting of permits for supervised displays of special effects produced by pyrotechnics, including sparklers and fountains, or flame producing devices by municipalities, fair associations, amusement parks, other organizations or groups of individuals or artisans in pursuit of their trade. Such regulations shall include provisions for determining the competency of persons intending to discharge or fire such special effects. Such regulations shall not apply to ceremonial activities that include minimal use of pyrotechnics or flame producing devices.

(b) An applicant for a permit for the supervised display of such special effects produced by pyrotechnics or flame producing devices shall submit a written application at least fifteen days prior to the date of the display, or upon such notice as the Commissioner of Emergency Services and Public Protection by regulation prescribes, on forms furnished by said commissioner. The fee for such application shall be one hundred dollars, made payable to the State Treasurer. The commissioner shall not grant any such permit until (1) the fire marshal

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for the municipality where the intended display is to be held inspects the site intended for the display and determines it to be in compliance with the requirements of such regulations, and (2) the chiefs of the police and fire departments or, if there is no police or fire department, the chief executive officer of the municipality where the intended display is to be held approves such intended site. Such display shall be of such a character and so located, discharged or fired as in the opinion of the chiefs of the police and fire departments or chief executive officer, after proper inspection, will not be hazardous to property or endanger any person. After such permit has been granted, the possession of pyrotechnics and flame producing devices for use in such display shall be lawful for that purpose only. No permit granted pursuant to this subsection shall be transferable. The commissioner may suspend or revoke such permit for violation by the permittee of any provision of the general statutes, any regulation or any ordinance relating to special effects.

(c) No pyrotechnic or flame producing device for use in a special effects display shall be handled, discharged or fired by any person unless under the supervision of a person who has been granted a certificate of competency for special effects by the Commissioner of Emergency Services and Public Protection. The fee for such certificate shall be two hundred dollars, made payable to the State Treasurer. Such certificate may be renewed every three years upon payment of a fee of one hundred ninety dollars to the State Treasurer. Such certificate shall attest to the fact that such person is competent to supervise the handling and discharge or firing of such special effects. No certificate granted pursuant to this subsection shall be transferable. The commissioner may suspend or revoke such certificate at any time for cause.

(d) The Commissioner of Emergency Services and Public Protection may grant, in writing, variations or exemptions from, or approve

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equivalent or alternate compliance with, particular provisions of any regulation adopted under the provisions of subsection (a) of this section where strict compliance with such provisions would entail practical difficulty or unnecessary hardship or is otherwise adjudged unwarranted, provided any such variation, exemption, approved equivalent or alternate compliance shall, in the opinion of the commissioner, secure the public safety.

(e) Any person, firm or corporation violating the provisions of subsection (b) or (c) of this section or any regulation adopted pursuant to subsection (a) of this section shall be guilty of a class A misdemeanor, except if death or injury results from any such violation, such person, firm or corporation shall be guilty of a class C felony.

Sec. 17. Section 29-360 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

No permit shall be issued under the provisions of section 29-357, as amended by this act, or section 16 of this act to a nonresident person, firm or corporation conducting a fireworks or special effects display in this state until such person, firm or corporation has appointed in writing the Secretary of the State and his successors in office to be his attorney upon whom all process in any action or proceeding against him may be served; and in such writing such person, firm or corporation shall agree that any process against such person, firm or corporation which is served on said secretary shall be of the same legal force and validity as if served on the person, firm or corporation, and that such appointment shall continue in force as long as any liability remains outstanding against such person, firm or corporation in this state. Such written appointment shall be acknowledged before some officer authorized to take acknowledgments of deeds and shall be filed in the office of said secretary. Copies certified by him shall be sufficient evidence of such appointment and agreement. Service upon said attorney shall be sufficient service upon the principal, and shall be

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made by leaving an attested copy of the process with the Secretary of the State at his office, or with any clerk having charge of the Corporations Division of said office. When legal process against any person, firm or corporation is served upon the Secretary of the State under this section, he shall immediately notify such person, firm or corporation by mail and shall, within two days after such service, forward in the same manner a copy of the process served on him to such person, firm or corporation or to any person designated in writing by such person, firm or corporation. The plaintiff in the process so served shall pay to the secretary, at the time of service, a fee of one and one-half dollars for each page, and in no case less than five dollars, which shall be recovered by him as part of his taxable costs if he prevails in such suit. The secretary shall keep a record of all process served upon him, which record shall show the date and the hour when such service was made.

Sec. 18. Subdivision (2) of subsection (b) of section 10-291 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(2) The plans incorporate new roof construction or total replacement of an existing roof and do not provide for the following: (A) A minimum roof pitch [of one-half inch per foot, except that for a total replacement of an existing roof, the Commissioner of Construction Services may permit the minimum roof pitch to be reduced to one-quarter inch per foot if the commissioner finds, based upon written certification from a licensed architect or engineer provided by the town or regional board of education, that (i) such reduction of roof pitch will not impede drainage or cause pooling of water that may leak into the building to a greater degree than that of a roof of a minimum roof pitch of one-half inch per foot, (ii) the cost of replacing the roof with a minimum roof pitch of one-half inch per foot would substantially exceed the cost of replacing the roof with a minimum roof pitch of one-

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quarter inch per foot, (iii) the time needed to replace the roof with a minimum roof pitch of one-half inch per foot would be substantially longer than the time needed to replace the roof with a minimum roof pitch of one-quarter inch per foot, and (iv) the existing building would not support a roof with a roof pitch of one-half inch per foot without a substantial rebuilding of the existing building] that conforms with the requirements of the State Building Code, (B) a minimum twenty-year unlimited manufacturer's guarantee for water tightness covering material and workmanship on the entire roofing system, (C) the inclusion of vapor retarders, insulation, bitumen, felts, membranes, flashings, metals, decks and any other feature required by the roof design, and (D) that all manufacturer's materials to be used in the roofing system are specified to meet the latest standards for individual components of the roofing systems of the American Society for Testing and Materials;

Sec. 19. Section 2 of public act 12-60 is repealed. (*Effective from passage*)

Sec. 20. Sections 29-321, 29-325 to 29-328, inclusive, 29-333 to 29-335, inclusive, 29-336, 29-338, 29-340 and 29-341 of the general statutes are repealed. (*Effective January 1, 2015*)

Approved July 11, 2013