



General Assembly

January Session, 2013

**Committee Bill No. 5353**

LCO No. 3732



Referred to Committee on PUBLIC SAFETY AND SECURITY

Introduced by:  
(PS)

**AN ACT REQUIRING STATE BUILDINGS TO BE ACCESSIBLE TO PERSONS WITH DISABILITIES.**

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

1 Section 1. Section 29-269 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2013*):

3 (a) The State Building Inspector and the Codes and Standards  
4 Committee shall revise the State Building Code to be in substantial  
5 compliance with the provisions of the Americans with Disabilities Act  
6 of 1990, as amended, 42 USC 12101 and the Fair Housing Amendments  
7 Act of 1988, as amended, 42 USC 3600. The provisions of this  
8 subsection and the State Building Code as from time to time revised  
9 pursuant to this section shall control the design, construction and  
10 arrangement of all buildings and building elements, constructed under  
11 permits issued on or after October 1, 1975, and all buildings or  
12 building elements constructed or substantially renovated by the state,  
13 any municipality or any other political subdivision of the state, the  
14 architectural design of which was commenced on or after October 1,  
15 1977, except buildings which have been approved by the Department  
16 of Housing and Urban Development as being in conformance with

17 federal standards for housing for the elderly and physically  
18 handicapped and for which a permit was issued prior to June 9, 1976,  
19 to ensure accessibility thereto and use by the physically handicapped.

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

44 (c) Regulations or codes made or amended by authority of this  
45 section shall, after a public hearing called for that purpose by the State  
46 Building Inspector not less than thirty days before the date of such  
47 hearing, be filed by the State Building Inspector with the Secretary of  
48 the State in accordance with the provisions of chapter 54 and he shall  
49 thereafter make copies available to persons having an interest therein.

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

54 (e) Notwithstanding the provisions of subsection (a) of this section,  
55 the State Building Inspector and the Codes and Standards Committee  
56 shall revise the State Building Code to require that, not later than  
57 January 1, 2021, all existing state buildings open to the public be  
58 accessible by a sloped ramp and an automatically activated door, and  
59 contain at least one bathroom and elevator that is accessible to the  
60 physically handicapped.

61 [(e)] (f) Notwithstanding the provisions of subsection (b) of this  
62 section, a variation or exemption from the State Building Code shall  
63 not be required to construct a visitable feature in a residential home.  
64 For purposes of this section, "visitable feature" means (1) interior  
65 doorways that provide a minimum thirty-two inch wide unobstructed  
66 opening, (2) an accessible means of egress, as defined in Appendix A  
67 to 28 CFR Part 36, or (3) a full or half bathroom on the first floor that is  
68 compliant with the provisions of the Americans with Disabilities Act of  
69 1990, as amended, 42 USC 12101.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2013	29-269

**Statement of Purpose:**

To give persons with disabilities equal access to state government services.

*[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.]*

Co-Sponsors: REP. DEMICCO, 21st Dist.; SEN. BYE, 5th Dist.  
REP. RILEY, 46th Dist.

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