



General Assembly

February Session, 2016

Raised Bill No. 5579

LCO No. 2450



Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

AN ACT CONCERNING BUILDING RESILIENCY AND THE GOVERNOR'S COUNCIL ON CLIMATE CHANGE.

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

1 Section 1. Section 29-251c of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2016*):

3 (a) As used in subsections (a) to (c), inclusive, of this section "prior
4 approval of the Code Training and Education Board of Control" means
5 approval by the board of a fiscal year budget prepared by the
6 Commissioner of Administrative Services. The commissioner shall
7 develop a program to sponsor (1) training and educational programs
8 in the mechanics and application of the State Building Code and the
9 Fire Safety Code conducted for any municipal or state code official, or
10 any candidate for such positions, and (2) continuing educational
11 programs in the mechanics and application of the State Building Code
12 and the Fire Safety Code for any architect, engineer, roofing contractor,
13 landscape architect, interior designer, builder, contractor or
14 superintendent of construction doing business in this state, and shall
15 determine the equipment necessary to sponsor such training and

16 educational programs.

17 (b) There is established the Code Training and Education Board of
18 Control which shall promote code training and education. No funds
19 shall be expended for the purposes listed in subsection (a) of this
20 section without prior approval of the Code Training and Education
21 Board of Control. The board shall consist of seven members as follows:
22 (1) Three members of the Building Code Training Council, one each of
23 whom shall be appointed by the speaker, majority leader and minority
24 leader of the House of Representatives, (2) three members of the Fire
25 Marshal Training Council, one each of whom shall be appointed by the
26 president pro tempore, majority leader and minority leader of the
27 Senate, and (3) one architect, engineer, roofing contractor, landscape
28 architect, interior designer, builder, contractor or superintendent of
29 construction doing business in this state, who shall be appointed by
30 the Commissioner of Administrative Services. The members of the
31 board shall continue in office for the term of three years from the first
32 day of July next succeeding their appointment. Vacancies on the board
33 shall be filled by the original appointing authority for the balance of
34 the unexpired term.

35 (c) The commissioner shall establish a program of education and
36 training in the mechanics and application of the State Building Code
37 and the Fire Safety Code conducted for any municipal or state code
38 official, or any candidate for such positions, and a continuing
39 educational program in the mechanics and application of the State
40 Building Code and the Fire Safety Code for any architect, engineer,
41 roofing contractor, landscape architect, interior designer, builder,
42 contractor or superintendent of construction doing business in this
43 state.

44 (d) The Commissioner of Administrative Services may apply for any
45 federal or private funds or contributions available for training and
46 education of code officials or other persons eligible to receive training
47 under subsections (a) to (c), inclusive, of this section. Not later than

48 July 1, 2000, the Commissioner of Administrative Services, with the
49 approval of the Building Code Training Council and the Fire Marshal
50 Training Council, shall adopt regulations in accordance with chapter
51 54 to establish an administrative process to adjust as necessary (1) the
52 amount of the education fee to be assessed by the State Building
53 Inspector pursuant to section 29-252a and each municipal building
54 official pursuant to section 29-263, and (2) the portion of the fees
55 collected which may be retained by each municipal building
56 department for administrative costs. The education fee shall be
57 adjusted downward or upward, as the case may be, when necessary,
58 but not more than annually, to reflect the actual cost of the training
59 and educational programs and the continuing educational programs
60 established in subsections (a) to (c), inclusive, of this section and the
61 educational programs required in subsections (a) and (b) of section 29-
62 262, except that no such fee may be increased by more than four cents
63 in any one year. The portion of fees which may be retained for
64 administrative costs shall be adjusted downward or upward, as the
65 case may be, when necessary, but not more than annually, to reflect the
66 actual costs incurred in collecting such fees, except that the fees to be
67 retained for administrative costs may not be less than one cent or
68 greater than three cents per thousand dollars of the value of the
69 construction declared in the building permit application.

70 (e) The Commissioner of Administrative Services shall annually
71 submit a report of the amount of funds received pursuant to
72 subsection (d) of this section, or of any other funds received by the
73 commissioner for the purposes of code training and education under
74 this section, to the cochairpersons and ranking members of the joint
75 standing committees of the General Assembly having cognizance of
76 matters relating to finance, revenue and bonding and appropriations.
77 All direct expenses incurred in the conduct of the code training and
78 educational programs, or of the operation, maintenance and repair of
79 facilities, food services and other auxiliary services incurred in the
80 conduct of the code training and educational programs, shall be

81 charged, and any cost of equipment for code training and educational
82 programs may be charged, against the funds appropriated for the code
83 training and educational programs on order of the Comptroller. Any
84 balance of receipts after expenditures shall be retained by the
85 commissioner and shall be used solely for the code training and
86 educational programs under this section and for the acquisition, as
87 provided in section 4b-21, alteration and repairs of real property for
88 educational facilities, provided repairs, alterations or additions to
89 educational facilities costing fifty thousand dollars or less shall require
90 the approval of the Commissioner of Administrative Services and
91 capital projects costing over fifty thousand dollars shall require the
92 approval of the General Assembly, or when the General Assembly is
93 not in session, of the Finance Advisory Committee. Funds
94 appropriated to or received by the Commissioner of Administrative
95 Services for the code training and educational programs shall also be
96 used for (1) (A) the operation, maintenance and repair of auxiliary
97 services facilities, and (B) any other activities related to training and
98 educational programs in the mechanics and application of the State
99 Building Code and the Fire Safety Code conducted for any municipal
100 or state code official, or any candidate for such positions, and (2)
101 continuing educational programs in the mechanics and application of
102 the State Building Code and the Fire Safety Code for any architect,
103 engineer, roofing contractor, landscape architect, interior designer,
104 builder, contractor or superintendent of construction doing business in
105 this state. No funds shall be used for the purposes of this section
106 without prior approval of the Code Training and Education Board of
107 Control, established pursuant to subsection (b) of this section.

108 Sec. 2. Subsection (a) of section 29-252 of the general statutes is
109 repealed and the following is substituted in lieu thereof (*Effective*
110 *October 1, 2016*):

111 (a) As used in this subsection, "geotechnical" means any geological
112 condition, such as soil and subsurface soil condition, which may affect
113 the structural characteristics of a building or structure. The State

114 Building Inspector and the Codes and Standards Committee shall,
115 jointly, with the approval of the Commissioner of Administrative
116 Services, adopt and administer a State Building Code based on a
117 nationally recognized model building code for the purpose of
118 regulating the design, construction and use of buildings or structures
119 to be erected and the alteration of buildings or structures already
120 erected and make such amendments thereto as they, from time to time,
121 deem necessary or desirable. Such amendments shall be limited to
122 administrative matters, geotechnical and weather-related portions of
123 said code, including, but not limited to, changes needed to increase the
124 resilience of structures to increased flood and wind hazards,
125 amendments to said code necessitated by a provision of the general
126 statutes and any other matter which, based on substantial evidence,
127 necessitates an amendment to said code. The code shall be revised not
128 later than January 1, 2005, and thereafter as deemed necessary to
129 incorporate any subsequent revisions to the code not later than
130 eighteen months following the date of first publication of such
131 subsequent revisions to the code. The purpose of said Building Code
132 shall also include, but not be limited to, promoting and ensuring that
133 such buildings and structures are designed and constructed in such a
134 manner as to improve resilience to flood and wind damage, conserve
135 energy and, wherever practicable, facilitate the use of renewable
136 energy resources, including provisions for electric circuits capable of
137 supporting electric vehicle charging in any newly constructed
138 residential garage in any code adopted after July 8, 2013. In promoting
139 and ensuring that buildings are designed and constructed in such
140 manner as to improve resilience to flood and wind damage, said
141 Building Code shall recognize any building or structure that meets the
142 standards of the Insurance Institute for Business & Home Safety's
143 Fortified Home program as complying with any such related
144 requirements of said Building Code. Said Building Code includes any
145 code, rule or regulation incorporated therein by reference.

146 Sec. 3. Section 22a-200a of the general statutes is repealed and the

147 following is substituted in lieu thereof (*Effective October 1, 2016*):

148 (a) The state shall reduce the level of emissions of greenhouse gas:

149 (1) Not later than January 1, 2020, to a level at least ten per cent
150 below the level emitted in 1990; [and]

151 (2) Not later than January 1, 2030, to a level to be determined by July
152 1, 2016; and

153 ~~[(2)]~~ (3) Not later than January 1, 2050, to a level at least eighty per
154 cent below the level emitted in 2001.

155 ~~[(3)]~~ (4) All of the levels referenced in this subsection shall be
156 determined by the Commissioner of Energy and Environmental
157 Protection after consultation with the Governor's Council on Climate
158 Change.

159 (b) On or before January 1, 2010, and biannually thereafter, the state
160 agencies that are members of the Governor's Steering Committee on
161 Climate Change shall submit a report to the Secretary of the Office of
162 Policy and Management and the Commissioner of Energy and
163 Environmental Protection. The report shall identify existing and
164 proposed activities and improvements to the facilities of such agencies
165 that are designed to meet state agency energy savings goals
166 established by the Governor. The report shall also identify policies and
167 regulations that could be adopted in the near future by such agencies
168 to reduce greenhouse gas emissions in accordance with subsection (a)
169 of this section.

170 (c) Not later than January 1, ~~[2012]~~ 2018, and every three years
171 thereafter, the Commissioner of Energy and Environmental Protection
172 shall, in consultation with the Secretary of the Office of Policy and
173 Management and the Governor's ~~[Steering Committee]~~ Council on
174 Climate Change, report, in accordance with the provisions of section
175 11-4a, to the joint standing committees of the General Assembly having

176 cognizance of matters relating to the environment, energy and
177 transportation on the quantifiable emissions reductions achieved
178 pursuant to subsection (a) of this section, including, but not limited to,
179 such reductions achieved by state agencies. The report shall include a
180 schedule of proposed regulations, policies and strategies designed to
181 achieve the limits of greenhouse gas emissions imposed by said
182 subsection, an assessment of the latest scientific information and
183 relevant data regarding global climate change, actions taken by the
184 state in furtherance of the Global Climate Leadership Memorandum of
185 Understanding, an estimate of greenhouse gas emissions by state
186 agencies and an explanation of any increase or decrease since the
187 previous report, and the status of greenhouse gas emission reduction
188 efforts in other states and countries.

189 (d) At least one year prior to the effective date of any federally
190 mandated greenhouse cap and trade program including greenhouse
191 gas emissions subject to any state cap and trade requirements adopted
192 pursuant to this section, the Commissioner of Energy and
193 Environmental Protection and the Secretary of the Office of Policy and
194 Management shall report, in accordance with the provisions of section
195 11-4a, to the joint standing committees of the General Assembly having
196 cognizance of matters relating to the environment, energy and
197 technology and transportation. Such report shall explain the
198 differences between such federal and state requirements and shall
199 identify any further regulatory or legislative actions needed to achieve
200 consistency with such federal program.

201 Sec. 4. Section 22a-200e of the general statutes is repealed. (*Effective*
202 *October 1, 2016*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2016</i>	29-251c
Sec. 2	<i>October 1, 2016</i>	29-252(a)
Sec. 3	<i>October 1, 2016</i>	22a-200a

Sec. 4	October 1, 2016	Repealer section
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Statement of Purpose:

To require the building code to contain provisions for building resiliency associated with increases in flood and wind damage and provide for certain reporting and goals by the Office of Policy and Management and the Governor's Council on Climate Change concerning greenhouse gas reductions.

[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.]