



General Assembly

Amendment

February Session, 2016

LCO No. 5560



Offered by:

REP. MILLER, 36th Dist.
SEN. OSTEN, 19th Dist.
REP. AMAN, 14th Dist.
REP. CURREY, 11th Dist.
REP. DAVIS C., 57th Dist.

To: Subst. House Bill No. 5180

File No. 733

Cal. No. 304

"AN ACT CONCERNING CONCRETE FOUNDATIONS AND SEPTIC TANKS."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective October 1, 2016*) Prior to the issuance of a
4 certificate of occupancy for a new residential or commercial building
5 for which a concrete foundation was installed on or after October 1,
6 2016, the applicant shall provide the building official with written
7 documentation of the name of the individual or entity that supplied
8 the concrete and the name of the individual or entity that installed the
9 concrete. Copies of such documentation shall be maintained in the
10 records of the office of the building official for not less than fifty years.

11 Sec. 2. (NEW) (*Effective from passage and applicable to assessment years*

12 commencing on or after October 1, 2016) (a) Any owner of a residential
13 building who has obtained a written evaluation from a professional
14 engineer licensed pursuant to chapter 391 of the general statutes
15 indicating that the foundation of such residential building was made
16 with defective concrete may provide a copy of such evaluation to the
17 assessor and request a reassessment of the residential building by the
18 assessor. Not later than ninety days after receipt of a copy of such
19 evaluation, or prior to the commencement of the assessment year next
20 following, whichever is earlier, the assessor, member of the assessor's
21 staff or person designated by the assessor shall inspect the residential
22 building and adjust its assessment to reflect its current value. Such
23 reassessment may be appealed pursuant to section 12-111 of the
24 general statutes. Any reassessment under this section shall apply for
25 five assessment years, notwithstanding the provisions of section 12-62
26 of the general statutes.

27 (b) An owner of a residential building that has obtained a
28 reassessment pursuant to this section shall notify the assessor if the
29 concrete foundation is repaired or replaced during the five assessment
30 years for which the reassessment is effective. Such notification shall be
31 made in writing within thirty days of the repair or replacement of the
32 concrete foundation. Not later than ninety days after receipt of such
33 notification, or prior to the commencement of the assessment year next
34 following, whichever is earlier, the assessor, member of the assessor's
35 staff or person designated by the assessor shall inspect the residential
36 building and adjust its assessment to reflect its current value.

37 Sec. 3. (Effective July 1, 2016) Not later than January 1, 2017, the
38 Commissioner of Consumer Protection, after consulting with the
39 Attorney General, shall submit a report, in accordance with the
40 provisions of section 11-4a of the general statutes, to the joint standing
41 committee of the General Assembly having cognizance of matters
42 relating to planning and zoning, on the potential cause or causes of
43 failing concrete foundations. Not later than January 1, 2017, the
44 Commissioner of Consumer Protection shall post such report on the
45 Department of Consumer Protection's Internet web site.

46 Sec. 4. (NEW) (*Effective from passage*) Any documentation provided
 47 to or obtained by an executive branch agency, including
 48 documentation provided or obtained prior to the effective date of this
 49 section, relating to claims of faulty or failing concrete foundations in
 50 residential buildings by the owners of such residential buildings, and
 51 documents prepared by an executive branch agency relating to such
 52 documentation, shall be maintained as confidential by such agency for
 53 not less than seven years after the date of receipt of the documentation
 54 or seven years after the effective date of this section, whichever is later.

55 Sec. 5. Subsection (b) of section 1-210 of the 2016 supplement to the
 56 general statutes is amended by adding subdivision (28) as follows
 57 (*Effective from passage*):

58 (NEW) (28) Any documentation provided to or obtained by an
 59 executive branch agency, including documentation provided or
 60 obtained prior to the effective date of this section, relating to claims of
 61 faulty or failing concrete foundations in residential buildings by the
 62 owners of such residential buildings, and documents prepared by an
 63 executive branch agency relating to such documentation, for seven
 64 years after the date of receipt of the documentation or seven years after
 65 the effective date of this section, whichever is later."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2016</i>	New section
Sec. 2	<i>from passage and applicable to assessment years commencing on or after October 1, 2016</i>	New section
Sec. 3	<i>July 1, 2016</i>	New section
Sec. 4	<i>from passage</i>	New section
Sec. 5	<i>from passage</i>	1-210(b)