



# House of Representatives

General Assembly

**File No. 392**

January Session, 2021

Substitute House Bill No. 6600

*House of Representatives, April 12, 2021*

The Committee on Public Safety and Security reported through REP. HORN of the 64th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

***AN ACT CONCERNING SMOKE DETECTION AND WARNING EQUIPMENT IN ALL RESIDENTIAL BUILDINGS.***

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

1 Section 1. Section 29-292 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) (1) The State Fire Marshal and the Codes and Standards  
4 Committee shall adopt and administer a Fire Safety Code and at any  
5 time may amend the [same] code in accordance with the provisions of  
6 section 29-292a. The code shall be based on a nationally recognized  
7 model fire code and shall be revised as deemed necessary to incorporate  
8 advances in technologies and improvements in construction materials  
9 and any subsequent revisions to the code not later than eighteen months  
10 following the date of first publication of such revisions to the model fire  
11 code, unless the State Fire Marshal and the committee certify that a  
12 revision is not necessary for such purpose. The [regulations in said] code  
13 shall provide for reasonable safety from fire, smoke and panic  
14 therefrom, in all buildings and areas adjacent thereto except in private

15 dwellings occupied by one or two families and upon all premises, and  
16 shall include provision for (A) carbon monoxide detection and warning  
17 equipment in (i) new residential buildings not exempt under  
18 [regulations adopted pursuant to this subsection] the code and designed  
19 to be occupied by one or two families for which a building permit for  
20 new occupancy is issued on or after October 1, 2005, and (ii) all public  
21 or nonpublic school buildings, and (B) smoke detection and warning  
22 equipment in [(i)] residential buildings designed to be occupied by [two]  
23 one or more families. [, (ii) new residential buildings designed to be  
24 occupied by one family for which a building permit for new occupancy  
25 is issued on or after October 1, 1978, requiring equipment complying  
26 with the Fire Safety Code, and (iii) new residential buildings designed  
27 to be occupied by one or more families for which a building permit for  
28 new occupancy is issued on or after October 1, 1985, requiring  
29 equipment capable of operation using alternating current and batteries.]

30 (2) [Said regulations] The Fire Safety Code shall provide the  
31 requirements for markings and literature which shall accompany such  
32 equipment sufficient to inform the occupants and owners of such  
33 buildings of the purpose, protective limitations and correct installation,  
34 operating, testing, maintenance and replacement procedures and  
35 servicing instructions for such equipment and shall require that smoke  
36 detection and warning equipment which is installed in such residential  
37 buildings shall be capable of sensing visible or invisible smoke particles,  
38 that the manner and location of installing smoke detectors shall be  
39 approved by the local fire marshal or building official, that such  
40 installation shall not exceed the standards under which such equipment  
41 was tested and approved and that such equipment, when activated,  
42 shall provide an alarm suitable to warn the occupants, provided each  
43 hotel, motel or inn shall install or furnish such equipment which, when  
44 activated, shall provide a visible alarm suitable to warn occupants, in at  
45 least one per cent of the units or rooms in such establishment having  
46 one hundred or more units or rooms and in establishments having less  
47 than one hundred units or rooms, it shall install or furnish at least one  
48 such alarm.

49 (3) [Said regulations] The Fire Safety Code shall (A) provide the  
50 requirements and specifications for the installation and use of carbon  
51 monoxide detection and warning equipment and shall include, but not  
52 be limited to, the location, power requirements and standards for such  
53 equipment and exemptions for buildings that do not pose a risk of  
54 carbon monoxide poisoning due to sole dependence on systems that do  
55 not emit carbon monoxide; (B) provide the requirements for testing and  
56 inspecting carbon monoxide detection and warning equipment installed  
57 in public or nonpublic school buildings and shall include, but not be  
58 limited to, the frequency with which such equipment shall be tested and  
59 inspected; (C) require that, for a public or nonpublic school building, (i)  
60 any carbon monoxide detection equipment installed in any such  
61 building meet or exceed Underwriters Laboratories Standard Number  
62 2075, or (ii) any carbon monoxide warning equipment installed in any  
63 such building meet or exceed Underwriters Laboratories Standard  
64 Number 2034; (D) require the installation and maintenance of such  
65 detection or warning equipment to comply with the manufacturer's  
66 instructions and with the standards set forth by the National Fire  
67 Protection Association; and (E) prohibit, for public and nonpublic  
68 school buildings for which a building permit for new occupancy is  
69 issued on or after January 1, 2012, the installation of any battery-  
70 operated carbon monoxide warning equipment or any plug-in carbon  
71 monoxide warning equipment that has a battery as its back-up power  
72 source.

73 (b) (1) No certificate of occupancy shall be issued for any residential  
74 building designed to be occupied by two or more families, or any new  
75 residential building designed to be occupied by one or more families for  
76 which a building permit for new occupancy is issued on or after October  
77 1, 1978, unless the local fire marshal or building official has certified that  
78 such building is equipped with smoke detection and warning  
79 equipment complying with the Fire Safety Code.

80 (2) No certificate of occupancy shall be issued for any (A) new  
81 residential building not exempt under [regulations adopted pursuant to  
82 subsection (a) of this section] the Fire Safety Code and designed to be

83 occupied by one or two families for which a building permit for new  
84 occupancy is issued on or after October 1, 2005, or (B) public or  
85 nonpublic school building for which a building permit for new  
86 occupancy is issued on or after January 1, 2012, unless the local fire  
87 marshal or building official has certified that such residential or school  
88 building is equipped with carbon monoxide detection and warning  
89 equipment complying with the Fire Safety Code.

90 (c) (1) No municipality, local or regional board of education, or  
91 supervisory agent of a nonpublic school, and (2) no employee, officer or  
92 agent of such municipality, board of education or supervisory agent  
93 acting without malice, in good faith and within the scope of his or her  
94 employment or official duties shall be liable for any damage to any  
95 person or property resulting from the failure to detect carbon monoxide  
96 within a public school building, provided carbon monoxide detection  
97 equipment is installed and maintained in accordance with the  
98 manufacturer's published instructions and with the [regulations  
99 established pursuant to this section] Fire Safety Code.

100 Sec. 2. Section 20-491 of the general statutes is repealed and the  
101 following is substituted in lieu thereof (*Effective October 1, 2021*):

102 (a) The commissioner, with the advice and assistance of the board,  
103 shall adopt regulations, in accordance with the provisions of chapter 54,  
104 to: (1) Establish such qualifications for the licensing of home inspectors  
105 as the commissioner finds necessary for the public interest; (2) establish  
106 an application process for persons seeking a license as a home inspector;  
107 (3) establish continuing education requirements and standards of  
108 professional and ethical conduct for home inspectors; (4) publish a code  
109 of ethics for home inspectors; [and] (5) establish such reasonable rules  
110 and regulations as the commissioner may deem necessary or desirable  
111 to carry out and enforce the provisions of sections 20-490 to 20-495a,  
112 inclusive; and (6) establish a minimum and uniform standard for any  
113 home inspector who provides a home inspection. The minimum and  
114 uniform standard for a home inspector shall, at a minimum, require a  
115 home inspector providing a home inspection to report on the presence

116 of smoke detection and warning equipment and note (A) where such  
 117 equipment is located, (B) the total number of such equipment, (C)  
 118 whether the home inspector is able to test such equipment, and (D)  
 119 whether the home inspector is able to verify that such equipment was  
 120 less than ten years old.

121 (b) The commissioner, with the advice and assistance of the board,  
 122 shall adopt regulations in accordance with the provisions of chapter 54  
 123 to: (1) Establish the requirements for obtaining a permit as a home  
 124 inspector intern; (2) establish application procedures for persons  
 125 seeking a permit as a home inspector intern; (3) prescribe rules and  
 126 standards concerning the supervision of home inspector interns by  
 127 licensed home inspectors; and (4) adopt such reasonable regulations as  
 128 the commissioner may deem necessary or desirable to carry out and  
 129 enforce the provisions of sections 20-490 to 20-495a, inclusive. Such  
 130 regulations shall require, as a condition of receiving a permit as a home  
 131 inspector intern, that the applicant enroll in and complete a board-  
 132 approved training program which may include a home study course.

133 (c) The commissioner shall establish rules concerning hearings on any  
 134 matter under the provisions of sections 20-490 to 20-495a, inclusive.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	29-292
Sec. 2	<i>October 1, 2021</i>	20-491

**Statement of Legislative Commissioners:**

In Section 2(a), Subdivs. (5) and (6) were reordered for clarity.

**PS**            *Joint Favorable Subst.*

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*The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.*

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**OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:** None

**Explanation**

The bill makes various changes concerning smoke detectors in residential buildings resulting in no fiscal impact to the state.

**The Out Years**

**State Impact:** None

**Municipal Impact:** None

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**OLR Bill Analysis**

**sHB 6600**

***AN ACT CONCERNING SMOKE DETECTION AND WARNING EQUIPMENT IN ALL RESIDENTIAL BUILDINGS.***

**SUMMARY**

This bill expands the smoke detector requirement to require them in single-family homes for which the building permit for new occupancy was issued (hereinafter "built") before October 1, 1978. It does so by requiring the State Fire Marshal and the Codes and Standards Committee to amend the Fire Safety Code to include a requirement for smoke detectors in all single-family homes. Current law already requires the code to require them in new single-family homes built after October 1, 1978.

The bill also eliminates the requirement for new single-family homes built on or after October 1, 1985, to have smoke detector equipment capable of operating using alternating current and batteries.

By law, anyone who violates any provision of the Fire Safety Code is fined between \$200 and \$1,000, imprisoned up to six months, or both (CGS § 29-295).

Existing law requires the Department of Consumer Protection (DCP) commissioner, with advice and help from the Home Inspection Licensing Board, to adopt regulations on home inspectors. In these regulations, the bill requires the commissioner to establish a minimum and uniform standard for an inspector inspecting a home. This standard must require the inspector to report on the presence of smoke detection and warning equipment, including noting (1) the equipment's location and total number and (2) if he or she was able to test it and verify that it was less than 10 years old.

The bill also makes technical and conforming changes regarding the Fire Safety Code.

EFFECTIVE DATE: Upon passage for the smoke detector provision and October 1, 2021, for the DCP regulations.

**BACKGROUND**

***Fire Safety Code***

The Fire Safety Code is based on a nationally recognized model fire code and is revised as needed to incorporate advances in technologies and improvements in construction materials. The law requires code revisions to occur within 18 months after the first publication of the revisions to the model fire code.

Instead of being adopted under the Uniform Administrative Procedure Act as a regulation, the code is adopted through a similar process, but does not require the attorney general’s review for legal sufficiency. The law allows the Regulation Review Committee to waive its review and if the committee fails to meet or act on a proposed code in a certain timeframe, the code is deemed approved.

**COMMITTEE ACTION**

Public Safety and Security Committee

Joint Favorable Substitute

Yea 19 Nay 5 (03/24/2021)