



# House of Representatives

**File No. 729**

General Assembly

January Session, 2021

**(Reprint of File No. 392)**

Substitute House Bill No. 6600  
As Amended by House Amendment  
Schedule "A"

Approved by the Legislative Commissioner  
May 26, 2021

**AN ACT CONCERNING SMOKE DETECTION AND WARNING  
EQUIPMENT, THE STATE FIRE PREVENTION AND FIRE SAFETY  
CODES, THE CODE TRAINING AND EDUCATION BOARD OF  
CONTROL, TEMPORARY FIRE MARSHALS, CERTAIN FIRE  
REPORTS AND SMALL WATER HEATERS.**

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 Section 29-292 of the general statutes is repealed and the  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 July 1, 2021*):

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 in accordance with the provisions of section  
6 29-292a. The code shall be based on [a] nationally recognized model fire  
7 [code] and life safety codes and shall be revised as deemed necessary to  
8 incorporate advances in technologies and improvements in construction  
9 materials and any subsequent revisions to the [code] model fire and life  
10 safety codes not later than eighteen months following the date of first  
11 publication of such revisions, [to the code,] unless the State Fire Marshal

12 and the committee certify that a revision is not necessary for such  
13 purpose. The [regulations in said] code shall provide for reasonable  
14 safety from fire, smoke and panic therefrom, in all buildings, structures  
15 and areas adjacent [thereto] to such buildings and structures, except in  
16 private dwellings occupied by one or two families and upon all  
17 premises. [, and] The code shall [include provision for (A)] require (1)  
18 carbon monoxide detection and warning equipment in [(i)] (A) new  
19 residential buildings not exempt under [regulations adopted pursuant  
20 to this subsection] the code and designed to be occupied by one or two  
21 families for which a building permit for new occupancy is issued on or  
22 after October 1, 2005, and [(ii)] (B) all public or nonpublic school  
23 buildings, and [(B)] (2) smoke detection and warning equipment in [(i)]  
24 (A) residential buildings designed to be occupied by [two] one or more  
25 families [, (ii) new residential buildings designed to be occupied by one  
26 family for which a building permit for new occupancy is issued on or  
27 after October 1, 1978, requiring equipment complying with the Fire  
28 Safety Code, and (iii) new residential buildings designed to be occupied  
29 by one or more families for which a building permit for new occupancy  
30 is issued on or after October 1, 1985, requiring equipment capable of  
31 operation using alternating current and batteries] when a smoke  
32 detection and warning system is installed or replaced, and (B) new  
33 residential buildings designed to be occupied by one or more families  
34 for which a building permit for new occupancy is issued on or after July  
35 1, 2021, requiring in buildings described in subparagraphs (A) and (B)  
36 of this subdivision, equipment capable of operation using any power  
37 source permitted in the standards adopted in the code.

38 (2) [Said regulations] The Fire Safety Code shall [provide the  
39 requirements for markings and literature which shall accompany such  
40 equipment sufficient to inform the occupants and owners of such  
41 buildings of the purpose, protective limitations and correct installation,  
42 operating, testing, maintenance and replacement procedures and  
43 servicing instructions for such equipment and shall require that smoke  
44 detection and warning equipment which is installed in such residential  
45 buildings shall be capable of sensing visible or invisible smoke particles,

46 that the manner and location of installing smoke detectors shall be  
47 approved by the local fire marshal or building official, that such  
48 installation shall not exceed the standards under which such equipment  
49 was tested and approved and that such equipment, when activated,  
50 shall provide an alarm suitable to warn the occupants, provided] require  
51 each hotel, motel or inn [shall] to install or furnish [such] smoke  
52 detection and warning equipment which, when activated, shall provide  
53 a visible alarm suitable to warn occupants, in at least one per cent of the  
54 units or rooms in such establishment having one hundred or more units  
55 or rooms and to install or furnish at least one such visible alarm in  
56 establishments having less than one hundred units or rooms. [, it shall  
57 install or furnish at least one such alarm.]

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

80 has a battery as its back-up power source.]

81 (b) (1) No certificate of occupancy shall be issued for any residential  
82 building designed to be occupied by [two or more families, or any new  
83 residential building designed to be occupied by] one or more families,  
84 [for which a building permit for new occupancy is issued on or after  
85 October 1, 1978,] unless the local fire marshal or building official has  
86 certified that such building is equipped with smoke detection and  
87 warning equipment complying with the Fire Safety Code and State  
88 Building Code.

89 (2) No certificate of occupancy shall be issued for any (A) new  
90 residential building not exempt under [regulations adopted pursuant to  
91 subsection (a) of this section and designed to be occupied by one or two  
92 families for which a building permit for new occupancy is issued on or  
93 after October 1, 2005] the Fire Safety Code, or (B) public or nonpublic  
94 school building for which a building permit for new occupancy is issued  
95 on or after January 1, 2012, unless the local fire marshal or building  
96 official has certified that such residential or school building is equipped  
97 with carbon monoxide detection and warning equipment complying  
98 with the Fire Safety Code and State Building Code.

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

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

111 (a) The commissioner, with the advice and assistance of the board,

112 shall adopt regulations, in accordance with the provisions of chapter 54,  
113 to: (1) Establish such qualifications for the licensing of home inspectors  
114 as the commissioner finds necessary for the public interest; (2) establish  
115 an application process for persons seeking a license as a home inspector;  
116 (3) establish continuing education requirements and standards of  
117 professional and ethical conduct for home inspectors; (4) publish a code  
118 of ethics for home inspectors; [and] (5) establish such reasonable rules  
119 and regulations as the commissioner may deem necessary or desirable  
120 to carry out and enforce the provisions of sections 20-490 to 20-495a,  
121 inclusive; and (6) establish a minimum and uniform standard for a home  
122 inspection. The minimum and uniform standard for a home inspection  
123 shall include a requirement that a home inspector report on the presence  
124 of smoke detection and warning equipment and specify where such  
125 equipment is located, the total number of such equipment, whether the  
126 home inspector is able to test such equipment, and whether the home  
127 inspector is able to verify that such equipment was less than ten years  
128 old.

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

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

143 Sec. 3. Section 29-291a of the general statutes is repealed and the  
144 following is substituted in lieu thereof (*Effective July 1, 2021*):

145 (a) The State Fire Marshal, in coordination with the advisory  
146 committee established under subsection (b) of this section and in  
147 accordance with the provisions of section 29-291e, shall adopt and  
148 administer a State Fire Prevention Code based on a nationally  
149 recognized fire [prevention] code. The code shall be used to enhance the  
150 enforcement capabilities of local fire marshals and for the purposes of  
151 prevention of fire and other related emergencies. The code shall be  
152 revised as deemed necessary to incorporate any subsequent revisions to  
153 the nationally recognized fire code not later than eighteen months  
154 following the date of first publication of such revisions. The code shall  
155 include provisions for oil burners, flammable and combustible liquids,  
156 gas equipment and piping, liquefied gas and liquefied natural gas, [and]  
157 hazardous chemicals, and processes and activities that occur in all  
158 buildings and structures regulated by the code and the areas adjacent to  
159 such buildings and structures.

160 (b) There is established an advisory committee consisting of nine  
161 persons appointed by the State Fire Marshal. The State Fire Marshal  
162 shall appoint two members selected from a list of individuals submitted  
163 by the Codes and Standards Committee from the membership of said  
164 committee and seven members representing local fire marshals, deputy  
165 fire marshals and fire inspectors selected from a list of individuals  
166 submitted by the Connecticut Fire Marshals Association.

167 (c) The State Fire Marshal may issue official interpretations of the  
168 State Fire Prevention Code, including interpretations of the applicability  
169 of any provision of the code, upon the request of any person. The State  
170 Fire Marshal shall compile and index each interpretation and shall  
171 publish such interpretations at periodic intervals not exceeding four  
172 months.

173 Sec. 4. Section 29-291c of the general statutes is repealed and the  
174 following is substituted in lieu thereof (*Effective July 1, 2021*):

175 (a) When the State Fire Marshal or a local fire marshal ascertains that  
176 there exists in any building, or upon any premises, a condition that

177 violates the State Fire Prevention Code or Fire Safety Code, the State Fire  
178 Marshal or local fire marshal shall order such condition remedied by the  
179 owner or occupant of such building or premises. Any such remedy shall  
180 be in conformance with all building codes, ordinances, rules and  
181 regulations of the municipality involved. Such owner or occupant shall  
182 be subject to the penalties prescribed by subsection (e) of this section  
183 and, in addition, may be fined fifty dollars a day for each day's  
184 continuance of each violation, to be recovered in a proper action in the  
185 name of the state.

186 (b) Upon failure of an owner or occupant to abate or remedy a  
187 violation pursuant to subsection (a) of this section within a reasonable  
188 period of time specified by the State Fire Marshal or the local fire  
189 marshal, the local fire marshal shall promptly notify, in writing, the  
190 prosecuting attorney having jurisdiction in the municipality in which  
191 such violation or condition exists of all of the relevant facts. The local  
192 fire marshal may request the chief executive officer, any official of the  
193 municipality authorized to institute actions on behalf of the  
194 municipality in which the hazard exists or the State Fire Marshal, to  
195 apply to any court of equitable jurisdiction for an injunction against  
196 such owner or occupant for the purpose of closing or restricting from  
197 public service or use the place or premises containing the violation or  
198 condition until the violation or condition has been remedied, or the State  
199 Fire Marshal may apply for such an injunction without such request.

200 (c) The State Fire Marshal or any local fire marshal empowered to  
201 enforce the State Fire Prevention Code or Fire Safety Code may, as an  
202 alternative to issuing an order pursuant to subsection (a) of this section,  
203 give the owner or occupant a written citation for any violation of the  
204 [State Fire Prevention Code] applicable code. No such citation may be  
205 issued if the owner or occupant has been previously issued a citation for  
206 the same violation by the State Fire Marshal or the local fire marshal  
207 within six months prior to the current violation. Such citation shall  
208 contain the name and address, if known, of the owner or occupant, the  
209 specific offense charged and the time and place of the violation. The  
210 citation shall be signed by the State Fire Marshal or local fire marshal

211 and shall be signed by the owner or occupant in acknowledgment that  
212 such citation has been received. The State Fire Marshal or local fire  
213 marshal shall, if practicable, deliver a copy of the citation to the owner  
214 or occupant at the time and place of the violation or shall use some other  
215 reasonable means of notification. Any person who is issued a citation  
216 for violation of any provision of the State Fire Prevention Code or Fire  
217 Safety Code in accordance with this subsection shall be fined not more  
218 than two hundred fifty dollars.

219 (d) If a local fire marshal issues a citation pursuant to subsection (c)  
220 of this section, the state shall remit to the municipalities in which the  
221 violations occurred ninety per cent of the proceeds of the fine and shall  
222 remit to the State Treasurer the remaining ten per cent. If the State Fire  
223 Marshal issues a citation pursuant to said subsection, the state shall  
224 remit to the State Treasurer the entire proceeds of the fine. Each clerk of  
225 the Superior Court or the Chief Court Administrator, on or before the  
226 thirtieth day of January, April, July and October in each year, shall  
227 certify to the Comptroller the amount due for the previous quarter  
228 under this subsection to each municipality served by the office of the  
229 clerk or official.

230 (e) In addition to the fine prescribed in subsection (a) of this section,  
231 any person who violates any provision of the State Fire Prevention Code  
232 or Fire Safety Code shall be fined not less than two hundred dollars or  
233 more than one thousand dollars or be imprisoned not more than six  
234 months, or both.

235 Sec. 5. Section 29-296 of the general statutes is repealed and the  
236 following is substituted in lieu thereof (*Effective July 1, 2021*):

237 The State Fire Marshal may grant variations or exemptions from, or  
238 approve equivalent or alternate compliance with, particular provisions  
239 of [any regulation issued under the provisions of section 29-292] the Fire  
240 Safety Code or State Fire Prevention Code where strict compliance with  
241 such provisions would entail practical difficulty or unnecessary  
242 hardship, or is otherwise adjudged unwarranted, provided any such



243 variation or exemption or approved equivalent or alternate compliance  
244 shall, in the opinion of the State Fire Marshal, secure the public safety.  
245 Any application for a variation or exemption or equivalent or alternate  
246 compliance received by a local fire marshal shall be forwarded to the  
247 State Fire Marshal by first class mail [within] or electronic mail not later  
248 than fifteen business days [of] after receipt by such local fire marshal  
249 and shall be accompanied by a letter or electronic message from such  
250 local fire marshal [that shall include comments on] regarding the merits  
251 of the application.

252 Sec. 6. Subsection (b) of section 29-305 of the general statutes is  
253 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
254 *2021*):

255 (b) Each local fire marshal shall inspect or cause to be inspected, at  
256 least once each calendar year or as often as prescribed by the State Fire  
257 Marshal pursuant to subsection (e) of this section, in the interests of  
258 public safety, all buildings and facilities of public service and all  
259 occupancies regulated by the Fire Safety Code or State Fire Prevention  
260 Code within the local fire marshal's jurisdiction, except residential  
261 buildings designed to be occupied by one or two families which shall be  
262 inspected, upon complaint or request of an owner or occupant, only for  
263 the purpose of determining whether the requirements specified in said  
264 codes relative to smoke detection and warning equipment have been  
265 satisfied. In the case of a school building, each local fire marshal shall  
266 submit a written report to the local or regional board of education  
267 documenting each such inspection.

268 Sec. 7. Subsection (c) of section 29-306 of the general statutes is  
269 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
270 *2021*):

271 (c) If the local fire marshal or a local police officer determines that  
272 there exists in a building a risk of death or injury from (1) blocked,  
273 insufficient or impeded egress, (2) failure to maintain or the shutting off  
274 of any fire protection or fire warning system required by the Fire Safety

275 Code or State Fire Prevention Code, (3) the storage of any flammable or  
276 explosive material without a permit or in quantities in excess of any  
277 allowable limits pursuant to a permit, (4) the use of any firework or  
278 pyrotechnic device without a permit, or (5) exceeding the occupancy  
279 limit established by the State Fire Marshal or a local fire marshal, such  
280 fire marshal or police officer may issue a verbal or written order to  
281 immediately vacate the building. Such fire marshal or police officer shall  
282 notify or submit a copy of such order to the State Fire Marshal if such  
283 marshal or officer anticipates that any of the conditions specified in  
284 subdivisions (1) to (5), inclusive, of this subsection cannot be abated in  
285 four hours or less from the time of such order. Upon receipt of any such  
286 notification or copy, the State Fire Marshal shall review such order to  
287 vacate, and after consultation with the local fire marshal or local police  
288 officer, determine whether to uphold, modify or reverse such order,  
289 with any further conditions the State Fire Marshal deems appropriate to  
290 protect any person from injury. A violation of such order shall be subject  
291 to the penalties under section [29-295] 29-291c, as amended by this act.

292 Sec. 8. Section 29-310 of the general statutes is repealed and the  
293 following is substituted in lieu thereof (*Effective July 1, 2021*):

294 (a) The Commissioner of Emergency Services and Public Protection  
295 shall thoroughly investigate the cause, circumstances and origin of all  
296 fires or explosions to which [his] the commissioner's attention has been  
297 called, in accordance with the provisions of this part, by reason of which  
298 any property has been destroyed or damaged, or any person injured or  
299 killed, and shall especially examine and decide as to whether such fire  
300 was the result of carelessness, design, an incendiary device or any other  
301 criminal act. [He] The commissioner may take the testimony under oath  
302 of any person supposed to be cognizant of or to have means of  
303 knowledge in relation to the matters as to which an examination is being  
304 made, and shall cause the same to be reduced to writing and filed in  
305 [his] the commissioner's office; and if, in [his] the commissioner's  
306 opinion, there is sufficient evidence to warrant that any person should  
307 be charged with the crime of arson or any other crime, [he] the  
308 commissioner shall forthwith submit such evidence, together with the

309 names of the witnesses and all other information obtained by [him] the  
310 commissioner, to the proper prosecuting officer. [He] The commissioner  
311 may, in any investigation, issue subpoenas for the purposes of  
312 summoning and compelling the attendance of witnesses before [him]  
313 the commissioner to testify. [He] The commissioner may administer  
314 oaths or affirmations to witnesses before [him] the commissioner, and  
315 false swearing therein shall be perjury. [He] The commissioner, or a  
316 designee, may, in the performance of his or her duties, enter [, by himself  
317 or his assistants,] into and upon the premises or building where any fire  
318 or explosion has occurred and premises thereto adjacent in accordance  
319 with the provisions of section 29-311.

320 (b) Whenever it comes to [his] the commissioner's knowledge or to  
321 the knowledge of any local fire marshal that there exists in any building  
322 or upon any premises combustible material or flammable conditions  
323 dangerous to the safety of such building or premises or dangerous to  
324 any other building or property, or conditions that present a fire hazard  
325 to the occupants thereof, the State Fire Marshal, or any local fire marshal,  
326 obtaining such knowledge, shall order such material to be forthwith  
327 removed or such conditions remedied by the owner or occupant of such  
328 building or premises, and such owner or occupant shall be subject to the  
329 penalties prescribed [by] in section [29-295] 29-291c, as amended by this  
330 act, and, in addition thereto, shall suffer a penalty of one hundred  
331 dollars a day for each day of neglect, to be recovered in a proper action  
332 in the name of the state.

333 Sec. 9. Section 29-313 of the general statutes is repealed and the  
334 following is substituted in lieu thereof (*Effective July 1, 2021*):

335 (a) No fire extinguishing agent used in a fire extinguisher or fire  
336 extinguishing device may contain an active ingredient having a level of  
337 toxicity equal to or greater than the vapors of carbon tetrachloride or  
338 chlorobromomethane or the thermal decomposition products resulting  
339 therefrom.

340 (b) No fire extinguisher or fire extinguishing device containing an

341 active agent having a level of toxicity equal to or greater than the vapors  
342 of carbon tetrachloride or chlorobromomethane or the thermal  
343 decomposition products resulting therefrom shall be used or installed  
344 for use in any school bus or motor vehicle used for the transportation of  
345 passengers for hire. The owner or operator of any such bus or vehicle  
346 who violates any provision of this subsection shall be fined not more  
347 than two hundred dollars or imprisoned not more than three months,  
348 or both.

349 (c) Any person who sells, offers for sale or gives to another any fire  
350 extinguisher or fire extinguishing device, containing or designed to  
351 contain an active agent having an ingredient prohibited by subsection  
352 (a) of this section shall be subject to the penalties prescribed [by] in  
353 section [29-295] 29-291c, as amended by this act.

354 Sec. 10. Section 29-314 of the general statutes is repealed and the  
355 following is substituted in lieu thereof (*Effective July 1, 2021*):

356 Any person who sells, offers to sell or displays for sale any portable  
357 fire extinguisher or any flame-proofing or fire retardant coating or  
358 compound, unless such fire extinguisher, coating or compound has been  
359 tested, listed and rated as satisfactory for its intended purpose by a  
360 nationally recognized testing laboratory acceptable to the State Fire  
361 Marshal and, in the case of a fire extinguisher, unless such fire  
362 extinguisher contains no active agent having an ingredient prohibited  
363 by section 29-313, as amended by this act, shall be subject to the penalties  
364 prescribed in section [29-295] 29-291c, as amended by this act.

365 Sec. 11. Subsection (b) of section 29-251c of the general statutes is  
366 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
367 *2021, and applicable to appointments made on and after said date*):

368 (b) There is established the Code Training and Education Board of  
369 Control which shall promote code training and education. No funds  
370 shall be expended for the purposes listed in subsection (a) of this section  
371 without prior approval of the Code Training and Education Board of  
372 Control. The board shall consist of seven members as follows: (1) [Three]

373 Four members of the [Building Code Training Council] Codes and  
374 Standards Committee, one each of whom shall be appointed by the  
375 speaker [,] and majority leader [and minority leader] of the House of  
376 Representatives and the president pro tempore and majority leader of  
377 the Senate, (2) [three members] one member of the Fire Marshal Training  
378 Council, [one each of whom] who shall be appointed by the [president  
379 pro tempore, majority leader and] minority leader of the [Senate] House  
380 of Representatives, (3) one member of the Building Code Training  
381 Council, who shall be appointed by the minority leader of the Senate,  
382 and [(3)] (4) one architect, engineer, landscape architect, interior  
383 designer, builder, contractor or superintendent of construction doing  
384 business in this state, who shall be appointed by the Commissioner of  
385 Administrative Services. The members of the board shall continue in  
386 office for the term of three years from the first day of July next  
387 succeeding their appointment. Vacancies on the board shall be filled by  
388 the original appointing authority for the balance of the unexpired term.

389 Sec. 12. Section 29-297 of the general statutes is repealed and the  
390 following is substituted in lieu thereof (*Effective July 1, 2021*):

391 (a) The board of fire commissioners or, in the absence of such board,  
392 any corresponding authority of each town, city or borough, or, if no such  
393 board or corresponding authority exists, the legislative body of each  
394 city, the board of selectmen of each town or the warden and burgesses  
395 of each borough, or, in the case of an incorporated fire district, the  
396 executive authority of such district shall appoint a local fire marshal and  
397 such deputy fire marshals, fire inspectors and other fire code inspectors  
398 or fire investigators as may be necessary. In making such appointment,  
399 preference shall be given to a member of the regular or volunteer fire  
400 department of such municipality. Each local fire marshal shall be sworn  
401 to the faithful performance of his or her duties by the clerk of the town,  
402 city, borough or fire district and shall continue to serve in that office  
403 until removed for cause. Such clerk shall record his or her acceptance of  
404 the position of local fire marshal and shall report the same in writing to  
405 the State Fire Marshal within ten days thereafter, giving the name and  
406 address of the local fire marshal and stating the limits of the territory in

407 which the local fire marshal is to serve.

408 (b) The board of fire commissioners or, in the absence of such board,  
409 any corresponding authority of each town, city or borough or, if no such  
410 board or corresponding authority exists, the legislative body of each  
411 city, the board of selectmen of each town or the warden and burgesses  
412 of each borough or, in the case of an incorporated fire district, the  
413 executive authority of such district may, upon the death, disability,  
414 dismissal, retirement or revocation of certification of the local fire  
415 marshal, and in the absence of an existing deputy fire marshal, appoint  
416 a [deputy fire marshal] person who holds a fire marshal certification  
417 issued pursuant to section 29-298 as the acting fire marshal for a period  
418 not to exceed one hundred eighty days.

419 Sec. 13. Section 29-303 of the general statutes is repealed and the  
420 following is substituted in lieu thereof (*Effective July 1, 2021*):

421 The fire chief or local fire marshal with jurisdiction over a town, city,  
422 borough or fire district where a fire, explosion or other fire emergency  
423 occurs shall furnish the State Fire Marshal a report that shall include (1)  
424 all the facts relating to its cause, its origin, the kind, the estimated value  
425 and ownership of the property damaged or destroyed, and (2) [the name  
426 of each firefighter who was (A) present at such fire, explosion or other  
427 fire emergency, and (B) exposed to heat, radiation or a known or  
428 suspected carcinogen as a result of such fire, explosion or other fire  
429 emergency, including the duration of each such firefighter's exposure,  
430 and (3)] such other information as called for by the State Fire Marshal  
431 on forms furnished by the State Fire Marshal, or in an electronic format  
432 prescribed by the State Fire Marshal. The fire chief or fire marshal may  
433 also submit reports regarding other significant fire department response  
434 to such fire or explosion, and such reports may be filed monthly but  
435 commencing January 1, 2008, such reports shall be filed not less than  
436 quarterly.

437 Sec. 14. Section 29-231 of the general statutes is repealed and the  
438 following is substituted in lieu thereof (*Effective from passage*):

439 The provisions of this chapter shall not apply to: (1) Boilers under  
 440 federal control; (2) portable boilers used in pumping, heating, steaming  
 441 and drilling in the open field; (3) portable boilers used solely for  
 442 agricultural purposes; (4) steam heating boilers, hot water heaters and  
 443 hot water heating boilers, when used in private homes or apartment  
 444 houses of not more than five families; (5) hot water heaters approved by  
 445 a nationally recognized testing agency that are equipped with adequate  
 446 safety devices, including a temperature and pressure relief valve, (A) (i)  
 447 having a nominal water capacity of not more than one hundred twenty  
 448 gallons and a heat input of not more than two hundred thousand British  
 449 thermal units per hour, [and] (ii) used solely for hot water supply  
 450 carrying a pressure of not more than one hundred sixty pounds per  
 451 square inch and operating at temperatures of not more than two  
 452 hundred ten degrees Fahrenheit, [provided such heaters are] and (iii)  
 453 not installed in schools, day care centers, public or private hospitals,  
 454 nursing or boarding homes, churches or public buildings, as defined in  
 455 section 1-1, or (B) (i) having a nominal water capacity of not more than  
 456 ten gallons and a heat input of not more than twenty thousand British  
 457 thermal units per hour, and (ii) installed in any occupancy; (6) antique  
 458 or model boilers used in public, nonprofit engineering or scientific  
 459 museums and operated for educational, historical or exhibition  
 460 purposes having a shell diameter of less than twelve inches and a grate  
 461 surface area of less than one square foot; and (7) public service  
 462 companies, as defined in section 16-1.

463 Sec. 15. Sections 29-291b and 29-295 of the general statutes are  
 464 repealed. (*Effective July 1, 2021*)

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2021</i>	29-292
Sec. 2	<i>July 1, 2021</i>	20-491
Sec. 3	<i>July 1, 2021</i>	29-291a
Sec. 4	<i>July 1, 2021</i>	29-291c
Sec. 5	<i>July 1, 2021</i>	29-296
Sec. 6	<i>July 1, 2021</i>	29-305(b)

Sec. 7	<i>July 1, 2021</i>	29-306(c)
Sec. 8	<i>July 1, 2021</i>	29-310
Sec. 9	<i>July 1, 2021</i>	29-313
Sec. 10	<i>July 1, 2021</i>	29-314
Sec. 11	<i>July 1, 2021, and applicable to appointments made on and after said date</i>	29-251c(b)
Sec. 12	<i>July 1, 2021</i>	29-297
Sec. 13	<i>July 1, 2021</i>	29-303
Sec. 14	<i>from passage</i>	29-231
Sec. 15	<i>July 1, 2021</i>	Repealer section



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.

**OFA Fiscal Note**

**State Impact:**

Agency Affected	Fund-Effect	FY 22 \$	FY 23 \$
Resources of the General Fund	GF - Revenue Loss	Minimal	Minimal

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

There is a revenue loss to the General Fund resulting from the bill, which exempts certain small hot water heaters from inspection by the Department of Administrative Services (DAS). The certification fee for applicable water heaters is \$80 and DAS collected approximately \$1.2 million in fees in FY 20. It is anticipated that the number of water heaters made exempt under the bill is small relative to the overall number of water heaters statewide and therefore the revenue loss is expected to be minimal.

House "A" strikes the original bill and its associated fiscal impact, thus becoming the bill with the above referenced fiscal impact.

**The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

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**OLR Bill Analysis****sHB 6600 (as amended by House "A")\******AN ACT CONCERNING SMOKE DETECTION AND WARNING EQUIPMENT IN ALL RESIDENTIAL BUILDINGS.*****SUMMARY**

This bill makes several unrelated changes in laws affecting fire codes, fire marshals, related boards, and water heaters. Among other things, the bill:

1. expands the smoke detection and warning equipment (hereinafter "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;
2. extends to the Fire Safety Code certain provisions related to fire marshal orders, citations, and penalties under the Fire Prevention Code;
3. changes the composition of the seven-member Code Training and Education Board of Control;
4. eliminates certain municipal reporting requirements related to fires, explosions, or other fire emergencies;
5. exempts certain hot water heaters from the state Safety Code for Boilers and Hot Water Heaters.

The bill also makes various minor, technical, and conforming changes regarding the Fire Safety Code (§§ 1, 7-10 & 15).

\*House Amendment "A" (1) makes various minor and technical

changes to implement the underlying bill's smoke detector provisions; (2) adds the provisions on the Fire Safety and Fire Prevention codes, fire code variations, inspections, Code Training and Education Board of Control, temporary local fire marshal appointments, municipal reports for fires and other emergencies, and small water heaters; and (3) makes other minor, technical, and conforming changes.

EFFECTIVE DATE: July 1, 2021, and the Code Training and Education Board of Control provision (§ 11) is applicable to appointments made on or after that date, and the small hot water heater provision (§ 14) is effective upon passage.

### **§ 1 – SMOKE DETECTORS**

The bill expands the smoke detector requirement to require them in single-family homes 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 when a smoke detector is installed or replaced. Current law already requires the code to require them in new single-family homes built on or 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. Instead, the bill requires the code to include a requirement that new residential buildings designed to be occupied by one or more families that are built on or after July 1, 2021, and those installing or replacing smoke detectors, to have equipment capable of operating using any power source allowed in the standards adopted in the code.

By law, a person who violates the Fire Safety Code must be fined up to \$1,000 with a \$200 mandatory minimum, imprisoned up to six months, or both.

Existing law prohibits the issuance of a certificate of occupancy for residential buildings generally subject to requirements for smoke and

carbon monoxide detectors and schools for carbon monoxide detectors unless the local fire marshal or building official certifies that the building equipment complies with the Fire Safety Code. The bill requires the local fire marshal or building official to additionally certify that the smoke and carbon monoxide equipment comply with the State Building Code.

The bill eliminates provisions that under current law establish requirements for smoke detectors, including requirements related to accompanying literature, their location and capabilities, and installation. It also eliminates current law's provisions establishing requirements for carbon monoxide detectors, including installation and use specifications; equipment location, power requirements, and standards; exemptions for certain buildings; and testing and inspection.

## **§§ 1 & 4 – FIRE SAFETY CODE**

### ***National Codes (§ 1)***

The bill requires the Fire Safety Code to be based on a nationally recognized model life safety code, in addition to a nationally recognized model fire code required under existing law. As under existing law for the model fire code, the Fire Safety Code must be updated within 18 months after the model life safety code makes revisions, unless the State Fire Marshal and the Codes and Standards Committee certify the change is not necessary.

### ***Structures and Adjacent Areas (§ 1)***

Current law requires the Fire Safety Code to provide for reasonable safety from fire, smoke, and panic from all buildings and their adjacent areas, but does not cover one- and two-family homes and their premises. The bill extends the code's coverage to include structures and their adjacent areas.

### ***Code Adoption (§ 1)***

The bill makes various conforming changes to implement changes to how the Fire Safety Code is adopted. By law, 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 (CGS § 29-292a). 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.

#### ***Citations, Injunctions, and Penalties (§ 4)***

The bill also extends to the Fire Safety Code certain provisions related to fire marshal orders, citations, and penalties under the Fire Prevention Code. These include provisions allowing the State Fire Marshal or local fire marshals to (1) order a building owner or occupant to remedy conditions that violate the code, (2) file an injunction to close or restrict the use of the property until the condition has been remedied, and (3) issue a citation instead of an order. They also include the following penalties: (1) \$50 per day for each day a violation continues when a fire marshal has ordered a building owner or occupant to remedy a condition and (2) a fine of up to \$250 for anyone issued a citation. By law, a person who violates the Fire Safety Code must be fined up to \$1,000 with a \$200 mandatory minimum, imprisoned up to six months, or both.

#### **§ 2 – HOME INSPECTION REGULATIONS**

Existing law requires the Department of Consumer Protection 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 home inspections. This standard must require the inspector to report on the presence of a smoke detector, including specifying (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.

#### **§ 3 – FIRE PREVENTION CODE**

The bill requires the Fire Prevention Code to include provisions for activities occurring on or within buildings and structures regulated by the code and adjacent areas.

**§ 5 – FIRE CODE VARIATIONS OR EXEMPTIONS**

Under current law, a local fire marshal must forward to the State Fire Marshal by first class mail within 15 business days of receiving an application for a variation or exemption the application along with a letter on the application's merits. The bill allows the local fire marshal to provide these materials by email.

**§ 6 – INSPECTIONS**

Existing law authorizes local fire marshals and the State Fire Marshal to inspect buildings, facilities, and other areas regulated by both the Fire Prevention Code and the Fire Safety Code. It also allows the State Fire Marshal to amend either code to establish a schedule for inspections of different building uses regulated under the codes.

The bill requires local fire marshals to inspect or cause to be inspected all buildings and facilities of public service and occupancies regulated by the State Fire Prevention Code at least once per calendar year, or as often as the State Fire Marshal prescribes, as required for the Fire Safety Code under current law. Existing law and the bill exempt residential buildings designed to be occupied by one or two families from this requirement and instead require they be inspected upon the owner or occupant's complaint and only to determine whether smoke detector requirements have been met. Existing law, unchanged by the bill, requires local fire marshals to submit a written report to the local or regional school board documenting any inspection of a school building.

**§ 11 – CODE TRAINING AND EDUCATION BOARD OF CONTROL**

The bill changes the composition of the seven-member Code Training and Education Board of Control. Under existing law and the bill, one member must be a building professional (e.g., an architect or engineer) appointed by Department of Administrative Services commissioner. Table 1 shows requirements for appointments of the remaining six members under current law and under the bill. By law, the board promotes code training and education, and members serve three-year terms.

Table 1: Code Training and Education Board of Control Membership

<i>Membership</i>	<i>Under Current Law</i>	<i>Under the Bill</i>
Building Code Training Council	Three members, appointed one each by the House speaker, and House majority minority leaders	One member, appointed by the Senate minority leader
Fire Marshal Training Council	Three members, appointed one each by the Senate president pro tempore and the Senate majority and minority leaders	One member, appointed by the House minority leader
Codes and Standards Committee	NA	Four members, appointed one each by the top four legislative leaders

### § 12 – TEMPORARY LOCAL FIRE MARSHAL APPOINTMENTS

When a local fire marshal can no longer serve due to death, disability, dismissal, retirement, or revocation of his or her certification and there is no existing deputy fire marshal, current law authorizes municipal officials or entities to appoint a deputy fire marshal as the acting fire marshal. The bill instead allows the officials to appoint a person who holds a fire marshal certification issued by the State Fire Marshal and the Codes and Standards Committee. Existing law limits this position to a maximum of 180 days.

### § 13 — MUNICIPAL REPORTS FOR FIRES, EXPLOSIONS, OR OTHER FIRE EMERGENCIES

By law, when a fire, explosion, or other fire emergency occurs, the fire chief or local fire marshal with jurisdiction over the location must report to the State Fire Marshal on facts relating to the incident's cause, origin, kind, and estimated value and ownership of damaged or destroyed

property, along with other information as the State Fire Marshal prescribes. The bill eliminates a requirement that this report include (1) the name of each firefighter who was present at the incident and, as a result, exposed to heat, radiation, or a known or suspected carcinogen and (2) the duration of each such firefighter's exposure.

#### **§ 14 – SMALL HOT WATER HEATERS**

The bill exempts certain hot water heaters from the state Safety Code for Boilers and Hot Water Heaters. The exemption applies to heaters (1) approved by a nationally recognized testing agency and equipped with adequate safety devices, including a temperature and pressure release valve; (2) with a nominal capacity of up to 10 gallons and a heat input of up to 20,000 BTUs (British thermal units) per hour; and (3) installed in any occupancy.

The law already exempts hot water heaters meeting the first criterion listed above if they (1) have a capacity of up to 120 gallons and a heat input of no more than 200,000 BTUs per hour, (2) are solely for hot water supply carrying a pressure of up to 160 PSI (pounds per square inch), and (3) operate at a temperature of up to 210 degrees Fahrenheit. However, this exemption does not apply to heaters in schools, day care centers, hospitals, nursing or boarding homes, churches, or public buildings.

Generally, the Safety Code for Boilers and Hot Water Heaters regulates boiler and hot water heater design, construction, installation, repair, use, and operation. Among other things, it requires that boilers and hot water heaters subject to the code be registered with the Department of Administrative Services and inspected by a boiler inspector (CGS §§ 29-231 to -244).

#### **BACKGROUND**

##### ***Related Bills***

sSB 845 (File 399), favorably reported by the Public Safety and Security Committee has similar provisions on smoke detectors, the Fire Safety and Prevention codes, inspections, Code Training and Education



Board of Control, temporary local fire marshal appointments, and municipal reports for fires and other emergencies.

HB 6395 (File 85), favorably reported by the Public Safety and Security Committee has the same small water heater provision.

**COMMITTEE ACTION**

Public Safety and Security Committee

Joint Favorable Substitute

Yea 19 Nay 5 (03/24/2021)