



Senate

General Assembly

File No. 400

January Session, 2021

Substitute Senate Bill No. 846

Senate, April 12, 2021

The Committee on Public Safety and Security reported through SEN. BRADLEY of the 23rd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING THE CERTIFICATION OF INDEPENDENT INSPECTION FIRMS TO PERFORM STATE BUILDING INSPECTIONS.

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

1 Section 1. (NEW) (*Effective October 1, 2021*) (a) The State Building
2 Inspector and the Codes and Standards Committee acting jointly, with
3 the approval of the Commissioner of Administrative Services, shall
4 establish a certification program to certify independent inspection firms
5 to perform inspections under the State Building Code for submission to
6 a local building official. To apply for certification under such program,
7 any inspector employed by an independent inspection firm shall hold a
8 license or certificate issued under the provisions of section 29-262 of the
9 general statutes. The State Building Inspector and the Codes and
10 Standards Committee shall consult with representatives of organized
11 labor and impacted industries when establishing such program. Such
12 program shall: (1) Establish the criteria for certifying an independent
13 inspection firm, specifying the duties, responsibilities, qualifications
14 and insurance requirements; and (2) permit the State Building Inspector

15 to provide administrative oversight and conduct audits to ensure the
16 consistency and quality of inspections performed by certified
17 independent inspection firms.

18 (b) The Commissioner of Administrative Services may charge a
19 reasonable fee to apply for certification under such program, provided
20 the commissioner may waive such fee for any independent inspection
21 firm that applies for a waiver of such fee, in the form and manner
22 prescribed by the commissioner, and demonstrates that such firm is
23 financially unable to pay such fee.

24 (c) The commissioner shall adopt regulations, in accordance with the
25 provisions of chapter 54 of the general statutes, to govern the
26 establishment and administration of such program.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2021	New section

Statement of Legislative Commissioners:

In Subsec. (a), the second sentence was rewritten for clarity and accuracy and in Subsec. (b), "for a waiver of such fee" was inserted for clarity.

PS *Joint Favorable Subst.*

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: None

Municipal Impact: None

Explanation

The bill requires the State Building Inspector and the Codes and Standards Committee, with the approval of the Commissioner of Administrative Services (DAS), to create a certification program for independent inspection firms to perform inspections under the State Building Code for submission to a local building official

DAS must adopt regulations to govern the program's establishment and administration. In addition, the bill allows the DAS Commissioner to charge a reasonable application fee for program certification. This is anticipated to result in minimal revenue to the state.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sSB 846*****AN ACT CONCERNING THE CERTIFICATION OF INDEPENDENT INSPECTION FIRMS TO PERFORM STATE BUILDING INSPECTIONS.*****SUMMARY**

This bill requires the state building inspector and the Codes and Standards Committee to establish a certification program for independent inspection firms to perform inspections under the State Building Code for submission to a local building official (see BACKGROUND). Under the bill, the inspector and committee must consult with representatives from labor unions and impacted industries when establishing the program. Additionally, their actions must be with the approval of the Department of Administrative Services (DAS) commissioner, who must adopt regulations to govern the program's establishment and administration.

The bill requires the program to:

1. restrict certification applications to inspectors employed by an independent inspection firm who have a building official license or certificate (it is unclear whether the program would be open to the other seven license classes; see BACKGROUND);
2. establish certification criteria, specifying the duties, responsibilities, qualifications, and insurance requirements; and
3. permit the state building inspector to provide administrative oversight and conduct audits to ensure the consistency and quality of inspections performed by certified firms.

The bill allows the DAS Commissioner to charge a reasonable application fee for program certification; however, he may waive the fee

for any firm that applies and demonstrates that it is financially unable to pay it. The commissioner may prescribe the form and manner for fee waiver applications.

EFFECTIVE DATE: October 1, 2021

BACKGROUND

Local Building Officials

Generally, under existing law, every municipality must appoint a building official to ensure compliance with the state building code and laws on building construction, alteration, repair, removal, and demolition, among other duties. To be eligible for appointment as a building official, an applicant must, among other criteria, (1) have at least five years’ experience in construction, design, or supervision; (2) pass a written exam; and (3) with certain exceptions, obtain a license from the state building inspector (CGS §§ 29-260 to 29-262).

Existing Inspector Licenses and Certificates

At present, there are nine classes of licenses regarding state building code enforcement: (1) building official, (2) assistant building official, (3) residential building inspector, (4) plan review technician, (5) mechanical inspector, (6) electrical inspector, (7) plumbing inspector, (8) heating and cooling inspector, and (9) construction inspector (Conn. Agencies Regs. § 29-262-1b). Related certificates have not been issued since 1983.

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable Substitute

Yea 24 Nay 0 (03/24/2021)