



General Assembly

January Session, 2021

Raised Bill No. 845

LCO No. 2893



Referred to Committee on PUBLIC SAFETY AND SECURITY

Introduced by:
(PS)

AN ACT CONCERNING THE STATE FIRE PREVENTION AND FIRE SAFETY CODES, MEMBERSHIP OF THE CODE TRAINING AND EDUCATION BOARD OF CONTROL, APPOINTMENT OF A TEMPORARY FIRE MARSHAL AND REPORTS FILED AFTER A FIRE, EXPLOSION OR OTHER FIRE EMERGENCY.

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

1 Section 1. Section 29-291a of the general statutes is repealed and the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, in coordination with the [advisory
4 committee] Fire Prevention Code Committee established under
5 subsection (b) of this section and in accordance with the provisions of
6 section 29-291e, as amended by this act, shall adopt and administer a
7 State Fire Prevention Code based on a nationally recognized fire
8 [prevention] code. The code shall be used to enhance the enforcement
9 capabilities of local fire marshals and for the purposes of prevention of
10 fire and other related emergencies. The code shall be revised as deemed
11 necessary to incorporate any subsequent revisions to the code not later
12 than eighteen months following the date of first publication of such
13 revisions. The code shall include provisions for oil burners, flammable

14 and combustible liquids, gas equipment and piping, liquefied gas and
15 liquefied natural gas and hazardous chemicals.

16 (2) Beginning on the effective date of the 2020 Fire Safety Code
17 adopted pursuant to section 29-292a:

18 (A) The State Fire Prevention Code shall be applicable to all buildings
19 constructed prior to January 1, 2006; and

20 (B) The Fire Safety Code, as amended from time to time pursuant to
21 section 29-292a, shall be applicable to all buildings constructed on or
22 after January 1, 2006.

23 (b) There is established [an advisory committee] a Fire Prevention
24 Code Committee consisting of nine persons appointed by the State Fire
25 Marshal. The State Fire Marshal shall appoint two members [selected]
26 from a list of individuals submitted by the Codes and Standards
27 Committee from the membership of said committee and seven members
28 representing local fire marshals, deputy fire marshals and fire inspectors
29 selected from a list of individuals submitted by the Connecticut Fire
30 Marshals Association. The committee shall adopt regulations in
31 accordance with the provisions of chapter 54 governing the procedure
32 of the committee.

33 (c) The State Fire Marshal may issue official interpretations of the
34 State Fire Prevention Code, including interpretations of the applicability
35 of any provision of the code, upon the request of any person. The State
36 Fire Marshal shall compile and index each interpretation and shall
37 publish such interpretations at periodic intervals not exceeding four
38 months.

39 Sec. 2. Section 29-291c of the general statutes is repealed and the
40 following is substituted in lieu thereof (*Effective July 1, 2021*):

41 (a) When the State Fire Marshal or a local fire marshal ascertains that
42 there exists in any building, or upon any premises, a condition that
43 violates the State Fire Prevention Code or Fire Safety Code, the State Fire

44 Marshal or local fire marshal shall order such condition remedied by the
45 owner or occupant of such building or premises. Any such remedy shall
46 be in conformance with all building codes, ordinances, rules and
47 regulations of the municipality involved. Such owner or occupant shall
48 be subject to the penalties prescribed by subsection (e) of this section
49 and, in addition, may be fined fifty dollars a day for each day's
50 continuance of each violation, to be recovered in a proper action in the
51 name of the state.

52 (b) Upon failure of an owner or occupant to abate or remedy a
53 violation pursuant to subsection (a) of this section within a reasonable
54 period of time specified by the State Fire Marshal or the local fire
55 marshal, the local fire marshal shall promptly notify, in writing, the
56 prosecuting attorney having jurisdiction in the municipality in which
57 such violation or condition exists of all of the relevant facts. The local
58 fire marshal may request the chief executive officer, any official of the
59 municipality authorized to institute actions on behalf of the
60 municipality in which the hazard exists or the State Fire Marshal, to
61 apply to any court of equitable jurisdiction for an injunction against
62 such owner or occupant for the purpose of closing or restricting from
63 public service or use the place or premises containing the violation or
64 condition until the violation or condition has been remedied, or the State
65 Fire Marshal may apply for such an injunction without such request.

66 (c) The State Fire Marshal or any local fire marshal empowered to
67 enforce the State Fire Prevention Code or Fire Safety Code may, as an
68 alternative to issuing an order pursuant to subsection (a) of this section,
69 give the owner or occupant a written citation for any violation of the
70 [State Fire Prevention Code] applicable code. No such citation may be
71 issued if the owner or occupant has been previously issued a citation for
72 the same violation by the State Fire Marshal or the local fire marshal
73 within six months prior to the current violation. Such citation shall
74 contain the name and address, if known, of the owner or occupant, the
75 specific offense charged and the time and place of the violation. The
76 citation shall be signed by the State Fire Marshal or local fire marshal
77 and shall be signed by the owner or occupant in acknowledgment that

78 such citation has been received. The State Fire Marshal or local fire
79 marshal shall, if practicable, deliver a copy of the citation to the owner
80 or occupant at the time and place of the violation or shall use some other
81 reasonable means of notification. Any person who is issued a citation
82 for violation of any provision of the State Fire Prevention Code or Fire
83 Safety Code in accordance with this subsection shall be fined not more
84 than two hundred fifty dollars.

85 (d) If a local fire marshal issues a citation pursuant to subsection (c)
86 of this section, the state shall remit to the municipalities in which the
87 violations occurred ninety per cent of the proceeds of the fine and shall
88 remit to the State Treasurer the remaining ten per cent. If the State Fire
89 Marshal issues a citation pursuant to said subsection, the state shall
90 remit to the State Treasurer the entire proceeds of the fine. Each clerk of
91 the Superior Court or the Chief Court Administrator, on or before the
92 thirtieth day of January, April, July and October in each year, shall
93 certify to the Comptroller the amount due for the previous quarter
94 under this subsection to each municipality served by the office of the
95 clerk or official.

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

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

103 The State Fire Marshal shall review a decision by a local fire marshal
104 upon the request of any person determined to have the right to appeal
105 or when the State Fire Marshal has reason to believe that such official
106 has misconstrued or misinterpreted any provision of the State Fire
107 Prevention Code adopted pursuant to section 29-291a, as amended by
108 this act. If upon review and after consultation with such official the State
109 Fire Marshal determines that a provision of the code has been

110 misconstrued or misinterpreted, the State Fire Marshal shall issue an
111 interpretation of such code and may issue any order the State Fire
112 Marshal deems appropriate. Any such determination or order shall be
113 in writing and sent to such local fire marshal by registered mail, return
114 receipt requested. Any person aggrieved by a decision made by the State
115 Fire Marshal in accordance with this section or a decision of the State
116 Fire Marshal relating to the enforcement of the State Fire Prevention
117 Code may appeal such decision to the Fire Prevention Code Committee,
118 established pursuant to subsection (b) of section 29-291a, as amended
119 by this act, not later than fourteen days after receipt of such decision by
120 such aggrieved person. Any hearing held by said committee shall be
121 held in accordance with the provisions of chapter 54. Any person
122 aggrieved by any ruling of the Fire Prevention Code Committee may
123 appeal to the superior court for the judicial district where the premises
124 concerned are located.

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

127 (a) For the purposes of this section, "proposed code" means a
128 proposal by the State Fire Marshal, in coordination with the [advisory
129 committee] Fire Prevention Code Committee for a new State Fire
130 Prevention Code or for a change in, addition to or repeal of any
131 provision of the State Fire Prevention Code and ["advisory committee"
132 means the advisory committee] "Fire Prevention Code Committee"
133 means the committee established under subsection (b) of section 29-
134 291a, as amended by this act.

135 (b) Notwithstanding the provisions of chapter 54, the adoption of the
136 State Fire Prevention Code and any amendments thereto shall not be
137 required to comply with the provisions of chapter 54, except as provided
138 in this section.

139 (c) Prior to the adoption of the State Fire Prevention Code and any
140 amendments thereto, the State Fire Marshal shall (1) post any proposed
141 code, a statement of purpose for which the proposed code is proposed,

142 a fiscal note associated with compliance with the proposed code
143 prepared pursuant to section 4-168 and a regulatory flexibility analysis
144 prepared pursuant to section 4-168a on the Internet web site of the
145 Department of Administrative Services, (2) give notice electronically to
146 the joint standing committee of the General Assembly having
147 cognizance of matters relating to public safety and security, (3) give
148 notice to any person who has requested the State Fire Marshal for
149 advance notice of the proposed code adoption proceedings, (4) provide
150 for a public comment period of forty-five days following the posting of
151 such proposed code, fiscal note and regulatory flexibility analysis, and
152 (5) hold a public hearing on the proposed code not less than twenty nor
153 more than thirty-five days after such posting.

154 (d) After the close of the public comment period, the State Fire
155 Marshal, in coordination with the [advisory committee] Fire Prevention
156 Code Committee, shall respond to each written and oral comment
157 respecting the proposed code received during the public comment
158 period and at the public hearing. Such response shall include any
159 change made to the proposed code if applicable, and the rationale for
160 such change. The State Fire Marshal shall post such response on the
161 Internet web site of the Department of Administrative Services not later
162 than thirty days after the close of the public comment period.

163 (e) The State Fire Marshal, in coordination with the [advisory
164 committee] Fire Prevention Code Committee, shall create and maintain
165 a code-making record for each proposed code, submit such code-
166 making record electronically to the standing legislative regulation
167 review committee and the joint standing committee of the General
168 Assembly having cognizance of matters relating to public safety and
169 security, and post such code-making record on the Internet web site of
170 the Department of Administrative Services. Such code-making record
171 shall include, but need not be limited to: (1) The final wording of the
172 proposed code in a format consistent with a nationally recognized
173 model building code, (2) the fiscal note prepared pursuant to subsection
174 (c) of this section, (3) the regulatory flexibility analysis prepared
175 pursuant to subsection (c) of this section, (4) all written and oral

176 comments received during the public comment period, and (5) the
177 response to such comments prepared pursuant to subsection (d) of this
178 section.

179 (f) The standing legislative regulation review committee shall have
180 not more than forty-five days from the date the code-making record is
181 submitted to the committee pursuant to subsection (e) of this section to
182 convene a meeting to approve, disapprove or reject without prejudice
183 the proposed code, in whole or in part. If the proposed code is
184 withdrawn, the State Fire Marshal shall resubmit the proposed code and
185 the committee shall have not more than forty-five days from the date of
186 such resubmittal to convene a meeting to approve, disapprove or reject
187 without prejudice the resubmitted proposed code. If the committee
188 notifies the State Fire Marshal in writing that it is waiving its right to
189 convene a meeting or does not act on a proposed code or a resubmitted
190 proposed code, as the case may be, within such forty-five-day period,
191 the proposed code or resubmitted proposed code shall be deemed to be
192 approved by the committee.

193 (g) If the committee disapproves a proposed code, in whole or in part,
194 the committee shall notify the State Fire Marshal of the disapproval and
195 the reasons for the disapproval. The State Fire Marshal shall not take
196 any action to implement such disapproved code, except that the State
197 Fire Marshal may submit a substantively new proposed code in
198 accordance with the provisions of this section, provided the General
199 Assembly may reverse such disapproval in accordance with the
200 provisions of section 4-171.

201 (h) If the committee rejects a proposed code without prejudice, in
202 whole or in part, the committee shall notify the State Fire Marshal of the
203 reasons for the rejection and the State Fire Marshal shall resubmit the
204 proposed code in revised form to the committee not later than thirty
205 days after the date of rejection without prejudice. Each resubmission of
206 the proposed code under this subsection shall include a summary of any
207 revisions to the proposed code. The committee shall have not more than
208 forty-five days after the receipt of the resubmittal to review and take

209 action on such resubmitted proposed code in the same manner as
210 provided in subsection (f) of this section.

211 (i) The State Fire Prevention Code or any amendment thereto
212 approved or deemed approved by the committee pursuant to subsection
213 (f) of this section is effective and enforceable against any person or party
214 upon its posting on the Internet web site of the Department of
215 Administrative Services, except that: (1) If a later date is required by
216 statute or specified in the code, the later date is the effective date, and
217 (2) a code may not be effective before the effective date of the public act
218 requiring or permitting the code. Such posting shall include a statement
219 by the State Fire Marshal certifying that the electronic copy of the code
220 is a true and accurate copy of the code approved or deemed approved
221 in accordance with subsection (f) of this section. The electronic copy of
222 the State Fire Prevention Code posted on the Internet web site of the
223 Department of Administrative Services shall be the official version for
224 all purposes, including all legal and administrative proceedings.

225 (j) No provision of the State Fire Prevention Code or any amendment
226 thereto adopted after May 31, 2016, is valid unless adopted in
227 substantial compliance with the requirements of this section. A
228 proceeding to contest any provision of the code on the ground of
229 noncompliance with the requirements of this section shall be
230 commenced within two years from the effective date of the code.

231 (k) The State Fire Marshal shall advise the public concerning how to
232 obtain a copy of the State Fire Prevention Code and any amendments
233 thereto.

234 Sec. 5. Section 29-292 of the general statutes is repealed and the
235 following is substituted in lieu thereof (*Effective July 1, 2021*):

236 (a) [(1)] The State Fire Marshal and the Codes and Standards
237 Committee shall adopt and administer a Fire Safety Code and at any
238 time may amend the same in accordance with the provisions of section
239 29-292a. The code shall be based on [a] nationally recognized model fire
240 [code] and life safety codes and shall be revised as deemed necessary to

241 incorporate advances in technologies and improvements in construction
242 materials and any subsequent revisions to the code not later than
243 eighteen months following the date of first publication of such revisions
244 to the code, unless the State Fire Marshal and the committee certify that
245 a revision is not necessary for such purpose. [The regulations in said]
246 On and after the effective date of the adoption of the 2020 Fire Safety
247 Code, the code shall provide for reasonable safety from fire, smoke and
248 panic therefrom, in all buildings and areas adjacent thereto constructed
249 on and after January 1, 2006, except in private dwellings occupied by
250 one or two families and upon all premises, and shall include provision
251 for [(A)] (1) carbon monoxide detection and warning equipment in [(i)]
252 (A) new residential buildings not exempt under [regulations] the Fire
253 Safety Code adopted pursuant to this subsection and designed to be
254 occupied by one or two families for which a building permit for new
255 occupancy is issued on or after October 1, 2005, and [(ii)] (B) all public
256 or nonpublic school buildings, and [(B)] (2) smoke detection and
257 warning equipment in [(i)] (A) residential buildings designed to be
258 occupied by two or more families, [(ii)] (B) new residential buildings
259 designed to be occupied by one family for which a building permit for
260 new occupancy is issued on or after October 1, 1978, requiring
261 equipment complying with the Fire Safety Code, [and (iii)] (C) new
262 residential buildings designed to be occupied by one or more families
263 for which a building permit for new occupancy is issued on or after
264 October 1, 1985, requiring equipment capable of operation using
265 alternating current and batteries, and (D) new residential buildings
266 designed to be occupied by one or more families for which a building
267 permit for new occupancy is issued on or after July 1, 2021, requiring
268 equipment capable of operation using any power source permitted in
269 the standards adopted in the Fire Safety Code.

270 [(2) Said regulations shall provide the requirements for markings and
271 literature which shall accompany such equipment sufficient to inform
272 the occupants and owners of such buildings of the purpose, protective
273 limitations and correct installation, operating, testing, maintenance and
274 replacement procedures and servicing instructions for such equipment

275 and shall require that smoke detection and warning equipment which
276 is installed in such residential buildings shall be capable of sensing
277 visible or invisible smoke particles, that the manner and location of
278 installing smoke detectors shall be approved by the local fire marshal or
279 building official, that such installation shall not exceed the standards
280 under which such equipment was tested and approved and that such
281 equipment, when activated, shall provide an alarm suitable to warn the
282 occupants, provided each hotel, motel or inn shall install or furnish such
283 equipment which, when activated, shall provide a visible alarm suitable
284 to warn occupants, in at least one per cent of the units or rooms in such
285 establishment having one hundred or more units or rooms and in
286 establishments having less than one hundred units or rooms, it shall
287 install or furnish at least one such alarm.

288 (3) Said regulations shall (A) provide the requirements and
289 specifications for the installation and use of carbon monoxide detection
290 and warning equipment and shall include, but not be limited to, the
291 location, power requirements and standards for such equipment and
292 exemptions for buildings that do not pose a risk of carbon monoxide
293 poisoning due to sole dependence on systems that do not emit carbon
294 monoxide; (B) provide the requirements for testing and inspecting
295 carbon monoxide detection and warning equipment installed in public
296 or nonpublic school buildings and shall include, but not be limited to,
297 the frequency with which such equipment shall be tested and inspected;
298 (C) require that, for a public or nonpublic school building, (i) any carbon
299 monoxide detection equipment installed in any such building meet or
300 exceed Underwriters Laboratories Standard Number 2075, or (ii) any
301 carbon monoxide warning equipment installed in any such building
302 meet or exceed Underwriters Laboratories Standard Number 2034; (D)
303 require the installation and maintenance of such detection or warning
304 equipment to comply with the manufacturer's instructions and with the
305 standards set forth by the National Fire Protection Association; and (E)
306 prohibit, for public and nonpublic school buildings for which a building
307 permit for new occupancy is issued on or after January 1, 2012, the
308 installation of any battery-operated carbon monoxide warning

309 equipment or any plug-in carbon monoxide warning equipment that
310 has a battery as its back-up power source.]

311 (b) (1) No certificate of occupancy shall be issued for any residential
312 building designed to be occupied by two or more families, or any new
313 residential building designed to be occupied by one or more families for
314 which a building permit for new occupancy is issued on or after October
315 1, 1978, unless the local fire marshal or building official has certified that
316 such building is equipped with smoke detection and warning
317 equipment complying with the Fire Safety Code and the State Building
318 Code.

319 (2) No certificate of occupancy shall be issued for any (A) new
320 residential building not exempt under [regulations adopted pursuant to
321 subsection (a) of this section and designed to be occupied by one or two
322 families] the Fire Safety Code for which a building permit for new
323 occupancy is issued on or after October 1, 2005, or (B) public or
324 nonpublic school building for which a building permit for new
325 occupancy is issued on or after January 1, 2012, unless the local fire
326 marshal or building official has certified that such residential or school
327 building is equipped with carbon monoxide detection and warning
328 equipment complying with the Fire Safety Code and the State Building
329 Code.

330 (c) (1) No municipality, local or regional board of education, or
331 supervisory agent of a nonpublic school, and (2) no employee, officer or
332 agent of such municipality, board of education or supervisory agent
333 acting without malice, in good faith and within the scope of his or her
334 employment or official duties shall be liable for any damage to any
335 person or property resulting from the failure to detect carbon monoxide
336 within a public school building, provided carbon monoxide detection
337 equipment is installed and maintained in accordance with the
338 manufacturer's published instructions and with the [regulations] Fire
339 Safety Code established pursuant to this section.

340 Sec. 6. Section 29-293 of the general statutes is repealed and the

341 following is substituted in lieu thereof (*Effective July 1, 2021*):

342 (a) The Fire Safety Code and the State Fire Prevention Code shall
343 specify reasonable minimum requirements for fire safety in new and
344 existing buildings and facilities.

345 (b) The State Fire Code and the State Fire Prevention Code shall, and
346 any municipality may, by ordinance, require the establishment of one
347 or more fire zones for the orderly access of fire and other emergency
348 equipment to buildings or facilities open to the public. Any such
349 ordinance may be in accordance with the (1) size, type of construction
350 and nature of use or occupancy of such buildings or facilities, and (2)
351 the fire suppression equipment and method of attack utilized by the fire
352 department.

353 Sec. 7. Section 29-296 of the general statutes is repealed and the
354 following is substituted in lieu thereof (*Effective July 1, 2021*):

355 The State Fire Marshal may grant variations or exemptions from, or
356 approve equivalent or alternate compliance with, particular provisions
357 of [any regulation issued under the provisions of section 29-292] the Fire
358 Safety Code or the State Fire Prevention Code where strict compliance
359 with such provisions would entail practical difficulty or unnecessary
360 hardship, or is otherwise adjudged unwarranted, provided any such
361 variation or exemption or approved equivalent or alternate compliance
362 shall, in the opinion of the State Fire Marshal, secure the public safety.
363 Any application for a variation or exemption or equivalent or alternate
364 compliance received by a local fire marshal shall be forwarded to the
365 State Fire Marshal by first class mail [within] not later than fifteen
366 business days [of] after receipt by such local fire marshal and shall be
367 accompanied by a letter from such local fire marshal that shall include
368 comments on the merits of the application.

369 Sec. 8. Subsection (b) of section 29-305 of the general statutes is
370 repealed and the following is substituted in lieu thereof (*Effective July 1,*
371 *2021*):

372 (b) Each local fire marshal shall inspect or cause to be inspected, at
373 least once each calendar year or as often as prescribed by the State Fire
374 Marshal pursuant to subsection (e) of this section, in the interests of
375 public safety, all buildings and facilities of public service and all
376 occupancies regulated by the Fire Safety Code or the State Fire
377 Prevention Code within the local fire marshal's jurisdiction, except
378 residential buildings designed to be occupied by one or two families
379 which shall be inspected, upon complaint or request of an owner or
380 occupant, only for the purpose of determining whether the
381 requirements specified in said codes relative to smoke detection and
382 warning equipment have been satisfied. In the case of a school building,
383 each local fire marshal shall submit a written report to the local or
384 regional board of education documenting each such inspection.

385 Sec. 9. Subsection (c) of section 29-306 of the general statutes is
386 repealed and the following is substituted in lieu thereof (*Effective July 1,*
387 *2021*):

388 (c) If the local fire marshal or a local police officer determines that
389 there exists in a building a risk of death or injury from (1) blocked,
390 insufficient or impeded egress, (2) failure to maintain or the shutting off
391 of any fire protection or fire warning system required by the Fire Safety
392 Code or State Fire Prevention Code, (3) the storage of any flammable or
393 explosive material without a permit or in quantities in excess of any
394 allowable limits pursuant to a permit, (4) the use of any firework or
395 pyrotechnic device without a permit, or (5) exceeding the occupancy
396 limit established by the State Fire Marshal or a local fire marshal, such
397 fire marshal or police officer may issue a verbal or written order to
398 immediately vacate the building. Such fire marshal or police officer shall
399 notify or submit a copy of such order to the State Fire Marshal if such
400 marshal or officer anticipates that any of the conditions specified in
401 subdivisions (1) to (5), inclusive, of this subsection cannot be abated in
402 four hours or less from the time of such order. Upon receipt of any such
403 notification or copy, the State Fire Marshal shall review such order to
404 vacate, and after consultation with the local fire marshal or local police
405 officer, determine whether to uphold, modify or reverse such order,

406 with any further conditions the State Fire Marshal deems appropriate to
407 protect any person from injury. A violation of such order shall be subject
408 to the penalties under section [29-295] 29-291c, as amended by this act.

409 Sec. 10. Section 29-310 of the general statutes is repealed and the
410 following is substituted in lieu thereof (*Effective July 1, 2021*):

411 (a) The Commissioner of Emergency Services and Public Protection
412 shall thoroughly investigate the cause, circumstances and origin of all
413 fires or explosions to which [his] the commissioner's attention has been
414 called, in accordance with the provisions of this part, by reason of which
415 any property has been destroyed or damaged, or any person injured or
416 killed, and shall especially examine and decide as to whether such fire
417 was the result of carelessness, design, an incendiary device or any other
418 criminal act. [He] The commissioner may take the testimony under oath
419 of any person supposed to be cognizant of or to have means of
420 knowledge in relation to the matters as to which an examination is being
421 made, and shall cause the same to be reduced to writing and filed in
422 [his] the commissioner's office; and if, in [his] the commissioner's
423 opinion, there is sufficient evidence to warrant that any person should
424 be charged with the crime of arson or any other crime, [he] the
425 commissioner shall forthwith submit such evidence, together with the
426 names of the witnesses and all other information obtained by [him] the
427 commissioner, to the proper prosecuting officer. [He] The commissioner
428 may, in any investigation, issue subpoenas for the purposes of
429 summoning and compelling the attendance of witnesses before [him]
430 the commissioner to testify. [He] The commissioner may administer
431 oaths or affirmations to witnesses before [him] the commissioner, and
432 false swearing therein shall be perjury. [He] The commissioner, or a
433 designee, may, in the performance of [his] their duties, enter [, by
434 himself or his assistants,] into and upon the premises or building where
435 any fire or explosion has occurred and premises thereto adjacent in
436 accordance with the provisions of section 29-311.

437 (b) Whenever it comes to [his] the commissioner's knowledge or to
438 the knowledge of any local fire marshal that there exists in any building

439 or upon any premises combustible material or flammable conditions
440 dangerous to the safety of such building or premises or dangerous to
441 any other building or property, or conditions that present a fire hazard
442 to the occupants thereof, the State Fire Marshal, or any local fire marshal,
443 obtaining such knowledge, shall order such material to be forthwith
444 removed or such conditions remedied by the owner or occupant of such
445 building or premises, and such owner or occupant shall be subject to the
446 penalties prescribed [by] in section [29-295] 29-291c, as amended by this
447 act, and, in addition thereto, shall suffer a penalty of one hundred
448 dollars a day for each day of neglect, to be recovered in a proper action
449 in the name of the state.

450 Sec. 11. Section 29-313 of the general statutes is repealed and the
451 following is substituted in lieu thereof (*Effective July 1, 2021*):

452 (a) No fire extinguishing agent used in a fire extinguisher or fire
453 extinguishing device may contain an active ingredient having a level of
454 toxicity equal to or greater than the vapors of carbon tetrachloride or
455 chlorobromomethane or the thermal decomposition products resulting
456 therefrom.

457 (b) No fire extinguisher or fire extinguishing device containing an
458 active agent having a level of toxicity equal to or greater than the vapors
459 of carbon tetrachloride or chlorobromomethane or the thermal
460 decomposition products resulting therefrom shall be used or installed
461 for use in any school bus or motor vehicle used for the transportation of
462 passengers for hire. The owner or operator of any such bus or vehicle
463 who violates any provision of this subsection shall be fined not more
464 than two hundred dollars or imprisoned not more than three months,
465 or both.

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

471 Sec. 12. Section 29-314 of the general statutes is repealed and the
472 following is substituted in lieu thereof (*Effective July 1, 2021*):

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

482 Sec. 13. Subsection (b) of section 29-251c of the general statutes is
483 repealed and the following is substituted in lieu thereof (*Effective July 1,*
484 *2021*):

485 (b) There is established the Code Training and Education Board of
486 Control which shall promote code training and education. No funds
487 shall be expended for the purposes listed in subsection (a) of this section
488 without prior approval of the Code Training and Education Board of
489 Control. The board shall consist of seven members as follows: (1) Three
490 members of the [Building Code Training Council] Codes and Standards
491 Committee, one each of whom shall be appointed by the speaker,
492 majority leader and minority leader of the House of Representatives, (2)
493 three members of the Fire Marshal Training Council, one each of whom
494 shall be appointed by the president pro tempore, majority leader and
495 minority leader of the Senate, and (3) one architect, engineer, landscape
496 architect, interior designer, builder, contractor or superintendent of
497 construction doing business in this state, who shall be appointed by the
498 Commissioner of Administrative Services. The members of the board
499 shall continue in office for the term of three years from the first day of
500 July next succeeding their appointment. Vacancies on the board shall be
501 filled by the original appointing authority for the balance of the
502 unexpired term.

503 Sec. 14. Section 29-297 of the general statutes is repealed and the
504 following is substituted in lieu thereof (*Effective July 1, 2021*):

505 (a) The board of fire commissioners or, in the absence of such board,
506 any corresponding authority of each town, city or borough, or, if no such
507 board or corresponding authority exists, the legislative body of each
508 city, the board of selectmen of each town or the warden and burgesses
509 of each borough, or, in the case of an incorporated fire district, the
510 executive authority of such district shall appoint a local fire marshal and
511 such deputy fire marshals, fire inspectors and other fire code inspectors
512 or fire investigators as may be necessary. In making such appointment,
513 preference shall be given to a member of the regular or volunteer fire
514 department of such municipality. Each local fire marshal shall be sworn
515 to the faithful performance of his or her duties by the clerk of the town,
516 city, borough or fire district and shall continue to serve in that office
517 until removed for cause. Such clerk shall record his or her acceptance of
518 the position of local fire marshal and shall report the same in writing to
519 the State Fire Marshal within ten days thereafter, giving the name and
520 address of the local fire marshal and stating the limits of the territory in
521 which the local fire marshal is to serve.

522 (b) The board of fire commissioners or, in the absence of such board,
523 any corresponding authority of each town, city or borough or, if no such
524 board or corresponding authority exists, the legislative body of each
525 city, the board of selectmen of each town or the warden and burgesses
526 of each borough or, in the case of an incorporated fire district, the
527 executive authority of such district may, upon the death, disability,
528 dismissal, retirement or revocation of certification of the local fire
529 marshal, and in the absence of an existing deputy fire marshal, appoint
530 a [deputy fire marshal] person who holds a fire marshal certification
531 issued pursuant to section 29-298 as the acting fire marshal for a period
532 not to exceed one hundred eighty days.

533 Sec. 15. Section 29-303 of the general statutes is repealed and the
534 following is substituted in lieu thereof (*Effective July 1, 2021*):

535 The fire chief or local fire marshal with jurisdiction over a town, city,
 536 borough or fire district where a fire, explosion or other fire emergency
 537 occurs shall furnish the State Fire Marshal a report that shall include (1)
 538 all the facts relating to its cause, its origin, the kind, the estimated value
 539 and ownership of the property damaged or destroyed, [(2) the name of
 540 each firefighter who was (A) present at such fire, explosion or other fire
 541 emergency, and (B) exposed to heat, radiation or a known or suspected
 542 carcinogen as a result of such fire, explosion or other fire emergency,
 543 including the duration of each such firefighter's exposure,] and [(3)] (2)
 544 such other information as called for by the State Fire Marshal on forms
 545 furnished by the State Fire Marshal, or in an electronic format prescribed
 546 by the State Fire Marshal. The fire chief or fire marshal may also submit
 547 reports regarding other significant fire department response to such fire
 548 or explosion, and such reports may be filed monthly but commencing
 549 January 1, 2008, such reports shall be filed not less than quarterly.

550 Sec. 16. Sections 29-291b and 29-295 of the general statutes are
 551 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>	29-291a
Sec. 2	<i>July 1, 2021</i>	29-291c
Sec. 3	<i>July 1, 2021</i>	29-291d
Sec. 4	<i>July 1, 2021</i>	29-291e
Sec. 5	<i>July 1, 2021</i>	29-292
Sec. 6	<i>July 1, 2021</i>	29-293
Sec. 7	<i>July 1, 2021</i>	29-296
Sec. 8	<i>July 1, 2021</i>	29-305(b)
Sec. 9	<i>July 1, 2021</i>	29-306(c)
Sec. 10	<i>July 1, 2021</i>	29-310
Sec. 11	<i>July 1, 2021</i>	29-313
Sec. 12	<i>July 1, 2021</i>	29-314
Sec. 13	<i>July 1, 2021</i>	29-251c(b)
Sec. 14	<i>July 1, 2021</i>	29-297
Sec. 15	<i>July 1, 2021</i>	29-303
Sec. 16	<i>July 1, 2021</i>	Repealer section

Statement of Purpose:

To (1) rename an advisory committee as the Fire Prevention Code Committee; (2) clarify the application and enforcement of the State Fire Prevention Code and the Fire Safety Code; (3) revise membership of the Code Training and Education Board of Control; (4) allow a municipality to appoint any person with a fire marshal certification to serve as a temporary fire marshal; (5) delete a provision in the report that fire chiefs or local fire marshals must submit to the State Fire Marshal after a fire, explosion or other fire emergency occurs; and (6) make technical changes.

[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.]