



House of Representatives

General Assembly

File No. 415

February Session, 2022

Substitute House Bill No. 5428

House of Representatives, April 12, 2022

The Committee on Planning and Development reported through REP. MCCARTHY VAHEY of the 133rd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

***AN ACT CONCERNING BUILDING OFFICIALS, RESOURCES
RELATING TO THE ADMINISTRATION OF THE STATE BUILDING
CODE AND THE PROMOTION OF CAREERS IN RELATED FIELDS.***

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

- 1 Section 1. (NEW) (*Effective from passage*) (a) As used in this section:
- 2 (1) "Regional council of governments" means a regional council of
3 governments organized under the provisions of sections 4-124i to 4-
4 124p, inclusive, of the general statutes; and
- 5 (2) "Member" has the same meaning as provided in section 4-124i of
6 the general statutes.
- 7 (b) Not later than January 1, 2023, the Secretary of the Office of Policy
8 and Management shall establish a pilot program for the provision of
9 building inspection services on a regional basis.
- 10 (c) Any regional council of governments or combination of regional

11 councils of governments, may submit an application to the secretary, in
12 a form and manner prescribed by the secretary, for participation in such
13 program. The secretary shall select three such councils or combinations
14 of councils based on criteria established by the commissioner for such
15 purpose. The secretary shall, in developing such criteria, consider the
16 demonstrated (1) need for regional building inspection services in
17 particular areas of the state, (2) ability or inability of members to fulfill
18 the building inspection needs of their town, city or borough, (3)
19 commitment of members to providing building inspection services on a
20 regional basis, and (4) utilization by members of any apprenticeship
21 program relating to the administration of the State Building Code
22 administered by the Labor Department's office of apprenticeship
23 training. Each regional council of governments or combination of
24 regional councils of governments selected to participate in such
25 program may retain one or more building officials to provide building
26 inspection services in such council or councils' region.

27 (d) Not later than sixty days after a council or combination of councils
28 is selected for participation pursuant to subsection (a) of this section, the
29 secretary shall enter into a memorandum of agreement with such
30 council or councils for the operation of a regional building inspection
31 services pilot program. Such memorandum shall include, but need not
32 be limited to, the (1) hours of operation and staff required to operate
33 such program, (2) software to be used in the operation of such program,
34 (3) requirements for progress reports to be provided the secretary, and
35 (4) metrics that will be used to measure the success of such program.

36 (e) (1) Not later than January 1, 2024, and annually thereafter, each
37 regional council of governments or combination of regional councils of
38 governments selected for participation pursuant to subsection (a) of this
39 section shall submit to the Secretary of the Office of Policy and
40 Management a report on the measures taken by such council or councils
41 in the most recent calendar year under the regional building inspection
42 services pilot program, and measures intended or expected to be taken
43 by such council or councils in the current calendar year.

44 (2) Not later than February 1, 2024, and annually thereafter, the
45 Secretary of the Office of Policy and Management shall submit to the
46 joint standing committee of the General Assembly having cognizance of
47 matters relating to planning and development, in accordance with the
48 provisions of section 11-4a of the general statutes, a report on the status
49 of the regional building inspection services pilot program and any
50 recommendations for legislation concerning such pilot program.

51 Sec. 2. Section 4-66k of the 2022 supplement to the general statutes is
52 repealed and the following is substituted in lieu thereof (*Effective July 1,*
53 *2022*):

54 (a) There is established an account to be known as the "regional
55 planning incentive account" which shall be a separate, nonlapsing
56 account within the General Fund. The account shall contain any moneys
57 required by law to be deposited in the account. Except as provided in
58 subsection [(e)] (f) of this section, moneys in the account shall be
59 expended by the Secretary of the Office of Policy and Management for
60 the purposes of first providing funding to regional planning
61 organizations in accordance with the provisions of subsections (b), (c)
62 and (d) of this section and then to providing grants under the regional
63 performance incentive program established pursuant to section 4-124s.

64 (b) For the fiscal year ending June 30, 2014, funds from the regional
65 planning incentive account shall be distributed to each regional
66 planning organization, as defined in section 4-124i, revision of 1958,
67 revised to January 1, 2013, in the amount of one hundred twenty-five
68 thousand dollars. Any regional council of governments that is
69 comprised of any two or more regional planning organizations that
70 voluntarily consolidate on or before December 31, 2013, shall receive an
71 additional payment in an amount equal to the amount the regional
72 planning organizations would have received if such regional planning
73 organizations had not voluntarily consolidated.

74 (c) For the fiscal years ending June 30, 2015, to June 30, 2021, inclusive,
75 funds from the regional planning incentive account shall be distributed
76 to each regional council of governments formed pursuant to section 4-

77 124j, in the amount of one hundred twenty-five thousand dollars plus
78 fifty cents per capita, using population information from the most recent
79 federal decennial census. Any regional council of governments that is
80 comprised of any two or more regional planning organizations, as
81 defined in section 4-124i, revision of 1958, revised to January 1, 2013,
82 that voluntarily consolidated on or before December 31, 2013, shall
83 receive a payment in the amount of one hundred twenty-five thousand
84 dollars for each such regional planning organization that voluntarily
85 consolidated on or before said date.

86 (d) (1) For the fiscal year ending June 30, 2022, and each fiscal year
87 thereafter, funds from the regional planning incentive account shall be
88 distributed to each regional council of governments formed pursuant to
89 section 4-124j, in the amount of one hundred eighty-five thousand five
90 hundred dollars plus sixty-eight cents per capita, using population
91 information from the most recent federal decennial census.

92 (2) Not later than July 1, 2021, and annually thereafter, each regional
93 council of governments shall submit to the secretary a proposal for
94 expenditure of the funds described in subdivision (1) of this subsection.
95 Such proposal may include, but need not be limited to, a description of
96 (A) functions, activities or services currently performed by the state or
97 municipalities that may be provided in a more efficient, cost-effective,
98 responsive or higher quality manner by such council, a regional
99 educational service center or similar regional entity; (B) anticipated cost
100 savings relating to the sharing of government services, including, but
101 not limited to, joint purchasing; (C) the standardization and alignment
102 of various regions of the state; or (D) any other initiatives that may
103 facilitate the delivery of services to the public in a more efficient, cost-
104 effective, responsive or higher quality manner.

105 (e) For the fiscal years ending June 30, 2023, to June 30, 2024, inclusive,
106 funds from the regional planning incentive account may be distributed
107 to regional councils of governments formed pursuant to section 4-124j,
108 selected to participate in the regional building inspection services pilot
109 program established pursuant to section 1 of this act, in the amount of

110 not more than two hundred fifty thousand dollars per selected council
111 or combination of councils for each fiscal year.

112 [(e)] (f) There is established a regionalization subaccount within the
113 regional planning incentive account. If the Connecticut Lottery
114 Corporation offers online its existing lottery draw games through the
115 corporation's Internet web site, online service or mobile application, and
116 after any payment to the Connecticut Teachers' Retirement Fund Bonds
117 Special Capital Reserve Fund required pursuant to section 12-182, the
118 revenue from such online offering that exceeds an amount equivalent to
119 the costs of the debt-free community college program under section 10a-
120 174 shall be transferred to the subaccount, or, if such online offering is
121 not established, the amount provided under subsection (b) of section 364
122 of public act 19-117 for regionalization initiatives shall be deposited in
123 the subaccount. Moneys in the subaccount shall be expended only for
124 the purposes recommended by the task force established under section
125 4-66s.

126 Sec. 3. (*Effective from passage*) (a) The Commissioner of Administrative
127 Services shall convene a working group comprised of the State Librarian
128 and representatives of the Connecticut Association of Zoning
129 Enforcement Officials, the Connecticut Building Officials Association,
130 two regional councils of governments, the Connecticut Business and
131 Industry Association, the Home Builders and Remodelers Association
132 of Connecticut, the Connecticut Construction Industries Association,
133 the Connecticut Town Clerks Association, the CT Data Collaborative
134 and the Connecticut Association of Municipal Attorneys to develop a
135 standardized system for the scanning or other digitization of records
136 relating to the State Building Code and storage of such records on a
137 searchable web-based public database. In developing such system, the
138 working group shall (1) consider best practices for (A) the use of various
139 digital file types, (B) security protocols for electronic file storage, and (C)
140 backup and recovery of electronic files, and (2) identify funding sources
141 for the implementation and maintenance of such system.

142 (b) Not later than January 1, 2023, the working group shall submit a

143 report, in accordance with the provisions of section 11-4a of the general
144 statutes, to the joint standing committee of the General Assembly
145 having cognizance of matters relating to planning and development.
146 Such report shall include the findings of the working group and
147 legislative recommendations for the implementation of the system
148 developed pursuant to subsection (a) of this section.

149 Sec. 4. (*Effective from passage*) The Commissioner of Administrative
150 Services shall, in consultation with the State Building Inspector and the
151 Connecticut Building Officials Association, study options for
152 developing a pathway to reciprocal licensure in this state for building
153 officials licensed in other jurisdictions. Not later than January 1, 2023,
154 the commissioner shall submit a report, in accordance with the
155 provisions of section 11-4a of the general statutes, to the joint standing
156 committee of the General Assembly having cognizance of matters
157 relating to planning and development. Such report shall include the
158 commissioner's findings and legislative recommendations to implement
159 such reciprocal licensure.

160 Sec. 5. (*Effective from passage*) The Commissioners of Administrative
161 Services and Higher Education shall, in consultation with the
162 Connecticut Building Officials Association and one or more
163 administrators of the regional community-technical college system,
164 study options for (1) expanding coursework and programs in
165 community colleges to provide training to students pursuing careers as
166 building officials, (2) financial and other incentives for such students to
167 pursue such careers, and (3) the development of internship and
168 apprenticeship programs for such students, in cooperation with
169 municipalities and regional councils of governments. Not later than
170 January 1, 2023, the commissioners shall submit a report, in accordance
171 with the provisions of section 11-4a of the general statutes, to the joint
172 standing committee of the General Assembly having cognizance of
173 matters relating to planning and development. Such report shall include
174 the commissioners' findings and any legislative recommendations.

| | | |
|---|---------------------|-------------|
| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>from passage</i> | New section |
| Sec. 2 | <i>July 1, 2022</i> | 4-66k |
| Sec. 3 | <i>from passage</i> | New section |
| Sec. 4 | <i>from passage</i> | New section |
| Sec. 5 | <i>from passage</i> | New section |

Statement of Legislative Commissioners:

In Section 2(a), "subsection (e)" was changed to "subsection [(e)] to (f)" for accuracy.

PD *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:

| Agency Affected | Fund-Effect | FY 23 \$ | FY 24 \$ |
|--|---|-----------|-----------|
| Admin. Serv., Dept. | GF - Cost | 220,000 | 220,000 |
| State Comptroller - Fringe Benefits ¹ | GF - Cost | 90,000 | 90,000 |
| Policy & Mgmt., Off. | GF - Cost | 154,000 | 54,000 |
| State Comptroller - Fringe Benefits ¹ | GF - Cost | 22,000 | 22,000 |
| Policy & Mgmt., Off. | Regional Performance Incentive Account - Cost | See Below | See Below |

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill establishes a pilot program for regional building inspection services, administered by the Office of Policy and Management (OPM). It also creates three reporting requirements related to building inspection and the State Building Code.

It is anticipated that the Office of Policy and Management would need to hire a part-time planning specialist and a consultant to administer the pilot program. This results in costs of \$76,000 annually for the planning specialist (\$54,000 for salary and \$22,000 for fringe benefits) and \$100,000 for the consultant. It is anticipated that the

¹The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 40.53% of payroll in FY 23.

consultant would be a one-time cost.

The bill also results in a cost to the Regional Planning Incentive Account of up to \$750,000 in FY 23 and FY 23 to provide grants of up to \$250,000 to each of the three participants OPM must select for the pilot program. This results in a corresponding reduction in funding available for the Regional Performance Incentive Program in each fiscal year.

The bill also establishes three new requirements of the Department of Administrative Services (DAS). These requirements include 1) convening a working group related to digitizing and storing State Building Code records; 2) a study regarding reciprocal licensure of building officials; and 3) a study regarding training options for students pursuing careers as building officials.

DAS will need to hire two positions to handle these provisions. The estimated salary total for these two positions is \$220,000, plus an additional \$90,000 for related fringe benefits.

The Out Years

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

OLR Bill Analysis**sHB 5428*****AN ACT CONCERNING BUILDING OFFICIALS, RESOURCES RELATING TO THE ADMINISTRATION OF THE STATE BUILDING CODE AND THE PROMOTION OF CAREERS IN RELATED FIELDS.*****SUMMARY**

This bill requires the Office of Policy and Management (OPM) to establish a pilot program, by January 1, 2023, to provide building inspection services on a regional basis through a regional council of governments (COG) or a combination of COGs. Under the bill, a COG or a combination of them may apply to OPM to participate in the program. The secretary must select three applicants, based on criteria he must establish, and enter into a memorandum of agreement with each. Program participants may retain one or more building officials to provide services in their regions and may receive up to \$250,000 each from the regional planning incentive account. The bill requires OPM and program participants to comply with certain reporting requirements.

The bill also establishes three additional reporting requirements. It requires, by January 1, 2023:

1. a working group the bill creates to develop and report on a system to digitize and store records related to the State Building Code;
2. the Department of Administrative Services (DAS) commissioner to study and report on options to allow reciprocal licensure for building officials licensed in other jurisdictions; and
3. the DAS and Office of Higher Education commissioners to study and report on options for providing certain education, training, and incentives to students pursuing careers as building

inspectors.

EFFECTIVE DATE: Upon passage, except the regional planning incentive account grant provision is effective July 1, 2022 (§2).

§§ 1 & 2 – REGIONAL BUILDING INSPECTION PILOT PROGRAM

The bill requires OPM to establish a pilot program by January 1, 2023, for a COG or a combination of them to provide building inspection services on a regional basis.

Existing law generally allows building inspectors to provide regional inspection services. By law, two or more municipalities may appoint a shared building inspector (CGS § 29-260(a)). And municipalities may enter into agreements with COGs allowing the COG to perform any service or activity that the municipality can provide (CGS § 8-31b).

Application Criteria

The bill requires the OPM secretary to develop application criteria and select applicants based on them. In developing the criteria, the secretary must consider, as demonstrated:

1. a particular area's need for regional building inspection services;
2. the extent to which the towns, cities, or boroughs that are COG members can meet their building inspection needs;
3. members' commitment to providing regional building inspection services; and
4. members' use of any Department of Labor-administered apprenticeship program related to administering the State Building Code.

Memorandum of Agreement (MOA)

The OPM secretary must select three applicants, which may be COGs or combinations of COGs, and enter a MOU with each within 60 days after selecting them. At minimum, the MOU must include the:

1. program's hours and required staff,
2. software to be used,
3. requirements for progress reports to the OPM secretary, and
4. metrics to measure the program's success.

Grants from Regional Planning Incentive Account

Under the bill, up to \$250,000 from the regional planning incentive account may be given to each of the pilot program participants for FYs 23 and 24. Under existing law, funds from this account are first spent on regional service grants to COGs and then on Regional Performance Incentive Program grants. The bill creates an exception to provide funds to the pilot program but does not specify the priority of payments.

Pilot Program Reporting Requirements

The bill requires program participants to submit an annual report, beginning by January 1, 2024, to the OPM secretary on the measures they took under the pilot program during the prior year and those they expect to take during the next year. It also requires the OPM secretary to submit an annual report, beginning by February 1, 2024, to the Planning and Development Committee on the pilot program's status and any recommendations for legislation on the program.

§§ 3-5 — STUDIES AND REPORTS

Working Group on Digitization of State Building Code Records

The bill requires the DAS commissioner to convene a working group to develop a standardized system for (1) scanning or digitizing records related to the State Building Code and (2) storing them in a publicly available, searchable online database. The working group must (1) identify funding sources to create and maintain the system and (2) consider best practices for using various digital file types, security protocols for their storage, and backing-up and recovering them.

The working group is composed of the state librarian and representatives of:

1. the Connecticut Association of Zoning Enforcement Officials,
2. the Connecticut Building Officials Association,
3. two COGs,
4. the Connecticut Business and Industry Association,
5. the Home Builders and Remodelers Association of Connecticut,
6. the Connecticut Construction Industries Association,
7. the Connecticut Town Clerks Association,
8. the Connecticut Data Collaborative, and
9. the Connecticut Association of Municipal Attorneys.

The working group must submit a report to the Planning and Development Committee by January 1, 2023, on its findings and legislative recommendations to implement the standardized system the working group develops.

Study on Reciprocal Licensing

The bill requires the DAS commissioner, in consultation with the state building inspector and Connecticut Building Officials Association, to study options to develop a pathway for building officials licensed in other jurisdictions to get reciprocal licensure in this state. The DAS commissioner must submit a report to the Planning and Development Committee by January 1, 2023, on her findings and legislative recommendations to implement reciprocal licensure.

Study on Training and Education Programs for Prospective Building Inspectors

The bill requires the DAS commissioner and Office of Higher Education commissioner (presumably, the executive director) to study options for:

1. expanding community college coursework and programs to train

students pursuing jobs as building officials;

2. financial and other incentives for students to pursue these jobs;
and
3. internship and apprenticeship programs, in cooperation with
COGs and municipalities, for these students.

In conducting the study, the commissioners must consult with the Connecticut Building Officials Association and at least one of the regional community-technical college system administrators. The commissioners must submit a report to the Planning and Development Committee by January 1, 2023, on their findings and any legislative recommendations.

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable Substitute

Yea 25 Nay 1 (03/25/2022)