



House of Representatives

General Assembly

File No. 537

January Session, 2023

Substitute House Bill No. 6798

House of Representatives, April 12, 2023

The Committee on Planning and Development reported through REP. KAVROS DEGRAW of the 17th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING CONCRETE MIXTURES INTENDED FOR USE IN RESIDENTIAL BUILDING FOUNDATIONS.

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

1 Section 1. (NEW) (*Effective from passage*) Not later than July 1, 2024,
2 the Commissioner of Consumer Protection shall adopt regulations, in
3 accordance with chapter 54 of the general statutes, to require any person
4 or entity selling or offering for sale a concrete mixture intended for use
5 in the foundation of a residential building to (1) provide to the person
6 or entity purchasing such concrete mixture (A) a description of such
7 concrete mixture, (B) the strength class of such concrete mixture, (C) an
8 identification number for such concrete mixture, (D) a description of the
9 source and type of aggregate used in such concrete mixture, (E) a
10 description of the content, type and source of the cement used in such
11 concrete mixture, (F) documentation confirming that the aggregate used
12 in such concrete mixture was tested in accordance with section 22a-349d
13 of the general statutes, and is fit for sale, (G) information concerning the
14 appropriate uses of such concrete mixture, (H) the water-to-cement ratio

15 of such concrete mixture, (I) the results of a slump test performed on
 16 such concrete mixture, (J) the fine aggregate and coarse aggregate
 17 content of such concrete mixture, (K) the name of the producer of the
 18 admixtures used in such concrete mixture and any safety data sheets
 19 concerning such admixtures provided by such producer, (L) the air
 20 content measurement of such concrete mixture, and (M) the date or
 21 dates of extraction of the aggregate used in such concrete mixture and
 22 the date or dates that such concrete mixture was fabricated; and (2)
 23 maintain and make such documentation available for inspection by the
 24 Department of Consumer Protection upon request of the department.
 25 The commissioner shall adopt regulations to define the terms "strength
 26 class", "identification number", "slump test", "safety data sheets" and "air
 27 content measurement" for the purposes of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section

Statement of Legislative Commissioners:

In the last sentence, "Regulations adopted pursuant to this section shall" was changed to "The commissioner shall adopt regulations to" for clarity.

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: None

Municipal Impact: None

Explanation

The bill requires the Department of Consumer Protection to adopt regulations that require certain concrete mixture information to be provided when selling a residential building resulting in no fiscal impact to the state.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 6798*****AN ACT CONCERNING CONCRETE MIXTURES INTENDED FOR USE IN RESIDENTIAL BUILDING FOUNDATIONS.*****SUMMARY**

By July 1, 2024, this bill requires the consumer protection commissioner to adopt regulations requiring people or entities selling concrete mixtures intended for residential foundations to (1) give the purchaser certain information about the mixture's components and suitability and (2) keep a copy of the documentation and make it available to the Department of Consumer Protection's inspection upon request.

EFFECTIVE DATE: Upon passage

CONCRETE MIXTURE INFORMATION PROVIDED TO BUYERS

Under the bill, the adopted regulations must require sellers to give specified information to buyers if the concrete mixture they are selling is intended for residential foundations. Specifically, the seller must give the buyer:

1. a description of the concrete mixture, including an identification number and its fabrication date or dates;
2. a description of the source, type, and extraction date of aggregate used in the mixture, including the mixture's fine and coarse aggregate content;
3. documentation confirming that the aggregate was tested, and is fit for sale, in accordance with the state's aggregate testing requirements for quarries (see below);
4. information on the appropriate uses of the mixture and the

mixture’s strength class, water-to-cement ratio, and air content measurement;

- 5. the mixture’s slump test results;
- 6. a description of the content, type, and source of the cement used in the mixture; and
- 7. the admixture producer’s name and any safety data sheets the producer provided.

The bill requires the commissioner to define in regulations the terms “strength class,” “identification number,” “slump test,” “safety data sheets,” and “air content measurement.”

Quarries’ Testing of Aggregate

Existing law, unchanged by the bill, requires concrete aggregate quarry operators to have a third-party test their aggregate and report on its total sulfur content (“total S”). The law imposes restrictions on using aggregate that has a relatively high total S and, in certain circumstances, requires additional testing to identify the presence of pyrrhotite, which led to the premature deterioration of certain concrete foundations in parts of the state (CGS § 22a-349d).

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable Substitute

Yea 21 Nay 0 (03/24/2023)