



General Assembly

January Session, 2023

Raised Bill No. 1198

LCO No. 5376



Referred to Committee on EDUCATION

Introduced by:
(ED)

**AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE
SCHOOL INDOOR AIR QUALITY WORKING GROUP.**

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

1 Section 1. Section 370 of public act 22-118 is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) There is established a working group to study and make
4 recommendations related to indoor air quality within school buildings.
5 Such recommendations shall include, but need not be limited to:

6 (1) The optimal humidity and temperature ranges to ensure healthy
7 air and promote student learning;

8 (2) Threshold school air quality emergency conditions warranting
9 temporary school closures based on the presence of insufficient heat, an
10 excessive combination of indoor temperature and humidity levels, or
11 some other thresholds;

12 (3) Criteria for rating the priority of heating, ventilation and air
13 conditioning repair and remediation needs, including the public health

14 condition and needs of the students attending a school;

15 (4) Optimal heating, ventilation and air conditioning system
16 performance benchmarks for minimizing the spread of infectious
17 disease;

18 (5) Protocols to be used by school districts to receive, investigate and
19 address complaints or evidence of mold, pest infestation, hazardous
20 odors or chemicals and poor indoor air-quality;

21 (6) The frequency with which local and regional boards of education
22 should be providing for a uniform inspection and evaluation program
23 of the indoor air quality within school buildings, such as the
24 Environmental Protection Agency's Indoor Air Quality Tools for
25 Schools Program, and whether such program should be provided for at
26 all schools or only at those constructed before or after a certain date;

27 (7) Best practices for the proper maintenance of heating, ventilation
28 and air conditions systems in school buildings, including the frequency
29 and scope of such maintenance;

30 (8) A system of equitable distribution of funds, based on need, under
31 the heating, ventilation and air conditioning system grant program
32 pursuant to section 10-265r of the general statutes;

33 ~~[(8)]~~ (9) Any other criteria affecting school indoor air quality; and

34 ~~[(9)]~~ (10) Proposals for legislation to carry out any of the
35 recommendations of the working group.

36 (b) The working group shall consist of the following members:

37 (1) Three appointed by the president pro tempore of the Senate, one
38 of whom is a representative of ConnectiCOSH, one of whom is a
39 representative of the Associated Sheet Metal and Roofing Contractors of
40 Connecticut, and one of whom is a member of the Senate;

41 (2) Three appointed by the speaker of the House of Representatives,

42 one of whom is a specialist in the field of children's health, one of whom
43 [shall] is a representative of the Connecticut State Building Trades
44 Council, and one of whom is a member of the House of Representatives;

45 (3) Two appointed by the majority leader of the Senate, one of whom
46 is a representative of the American Federation of Teachers-Connecticut
47 and one of whom is a representative of the Connecticut Association of
48 Public School Superintendents;

49 (4) Two appointed by the majority leader of the House of
50 Representatives, one of whom is a representative of the Connecticut
51 Education Association and one of whom is a representative of the
52 Connecticut Association of Boards of Education;

53 (5) Two appointed by the minority leader of the Senate, one of whom
54 is a specialist in the field of medicine on respiratory health and one of
55 whom is a representative of the Council of Small Towns;

56 (6) Two appointed by the minority leader of the House, one of whom
57 is an industrial hygienist and one of whom is a representative of the
58 Mechanical Contractors of Connecticut;

59 (7) Two appointed by the Governor, one of whom is a school nurse
60 and one of whom is a representative of the Connecticut Conference of
61 Municipalities;

62 (8) The Secretary of the Office of Policy and Management, or the
63 Secretary's designee;

64 (9) The Commissioner of Education, or the commissioner's designee;

65 (10) The Commissioner of Administrative Services, or the
66 commissioner's designee;

67 (11) The Labor Commissioner, or the commissioner's designee;

68 (12) The Commissioner of Public Health, or the commissioner's
69 designee;

70 (13) The Commissioner of Consumer Protection, or the
71 commissioner's designee; and

72 (14) The Commissioner of Energy and Environmental Protection, or
73 the commissioner's designee.

74 (c) All appointments to the working group shall be made not later
75 than sixty days after the effective date of this section. Any vacancy shall
76 be filled by the appointing authority.

77 (d) The member of the Senate appointed by the president pro
78 tempore of the Senate pursuant to subdivision (1) of subsection (b) of
79 this section and the member of the House of Representative appointed
80 by the speaker of the House of Representatives pursuant to subdivision
81 (2) of subsection (b) of this section shall serve as the chairpersons of the
82 working group. Such chairpersons shall schedule the first meeting of the
83 working group, which shall be held not later than sixty days after the
84 effective date of this section.

85 (e) Not later than [January 4, 2023] July 1, 2024, the working group
86 shall submit a report on its findings and recommendations to the
87 Governor and the joint standing committees of the General Assembly
88 having cognizance of matters relating to education, labor and public
89 health, in accordance with the provisions of section 11-4a of the general
90 statutes. The working group shall terminate on [January 4, 2023] July 1,
91 2024, or on the submission of the report, whichever is later.

92 Sec. 2. (NEW) (*Effective July 1, 2023*) (a) The Department of
93 Administrative Services shall establish and maintain a single electronic
94 portal available on the Internet and located on the department's Internet
95 web site for the purpose of receiving and posting the report and results
96 of an inspection and evaluation of the indoor air quality and the heating,
97 ventilation and air conditioning system of a school building conducted
98 pursuant to subsection (d) of section 10-220 of the general statutes, as
99 amended by this act. Such electronic portal shall be known as the School
100 Indoor Air Quality and HVAC Portal.

101 (b) The department shall prescribe the form and manner in which a
102 local or regional board of education shall submit the report and results
103 of an inspection and evaluation of the indoor air quality and the heating,
104 ventilation and air conditioning system of a school building. The
105 department may consult with representatives from the indoor air
106 quality and heating, ventilation and air conditioning industry to
107 develop a standard reporting form for the electronic portal.

108 (c) The School Indoor Air Quality and HVAC Portal shall include, but
109 need not be limited to: (1) The standard reporting form developed
110 pursuant to subsection (b) of this section and instructions for the
111 submission of such form and the report and results of an inspection and
112 evaluation of the indoor air quality and the heating, ventilation and air
113 conditioning system of a school building, (2) a searchable database of
114 the reports and results of such inspections and evaluations, and (3)
115 aggregated data of such results.

116 Sec. 3. Subsection (d) of section 10-220 of the general statutes is
117 repealed and the following is substituted in lieu thereof (*Effective July 1,*
118 *2023*):

119 (d) (1) As used in this subsection:

120 (A) "Certified testing, adjusting and balancing technician" means a
121 technician certified to perform testing, adjusting and balancing of
122 heating, ventilation and air conditioning systems by the Associated Air
123 Balance Council, the National Environmental Balancing Bureau or the
124 Testing, Adjusting and Balancing Bureau, or an individual training
125 under the supervision of a Testing, Adjusting and Balancing Bureau
126 certified technician or a person certified to perform ventilation
127 assessments of heating, ventilation and air conditioning systems
128 through a certification body accredited by the American National
129 Standards Institute;

130 (B) "Heating, ventilation and air conditioning system" means the
131 equipment, distribution network, controls and terminals that provide,
132 either collectively or individually, heating, ventilation or air

133 conditioning to a building; and

134 (C) "Indoor air quality" has the same meaning as used by the United
135 States Department of Labor Occupational Safety and Health
136 Administration Standard Number 1910.1000 "OSHA Policy on Indoor
137 Air Quality".

138 (2) Prior to January 1, 2008, and every three years thereafter, for every
139 school building that is or has been constructed, extended, renovated or
140 replaced on or after January 1, 2003, a local or regional board of
141 education shall provide for a uniform inspection and evaluation
142 program of the indoor air quality within such buildings [, such as] using
143 the Environmental Protection Agency's Indoor Air Quality Tools for
144 Schools Program. The inspection and evaluation program shall include,
145 but not be limited to, a review, inspection or evaluation of the following:
146 (A) The heating, ventilation and air conditioning systems; (B) radon
147 levels in the air; (C) potential for exposure to microbiological airborne
148 particles, including, but not limited to, fungi, mold and bacteria; (D)
149 chemical compounds of concern to indoor air quality including, but not
150 limited to, volatile organic compounds; (E) the degree of pest
151 infestation, including, but not limited to, insects and rodents; (F) the
152 degree of pesticide usage; (G) the presence of and the plans for removal
153 of any hazardous substances that are contained on the list prepared
154 pursuant to Section 302 of the federal Emergency Planning and
155 Community Right-to-Know Act, 42 USC 9601 et seq.; (H) ventilation
156 systems; (I) plumbing, including water distribution systems, drainage
157 systems and fixtures; (J) moisture incursion; (K) the overall cleanliness
158 of the facilities; (L) building structural elements, including, but not
159 limited to, roofing, basements or slabs; (M) the use of space, particularly
160 areas that were designed to be unoccupied; and (N) the provision of
161 indoor air quality maintenance training for building staff. Local and
162 regional boards of education conducting evaluations pursuant to this
163 subsection shall (i) make available for public inspection the results of the
164 inspection and evaluation at a regularly scheduled board of education
165 meeting and on the board's or each individual school's web site, and (ii)
166 submit the report and results of such inspection and evaluation to the

167 Department of Administrative Services in accordance with the
168 provisions of section 2 of this act.

169 (3) Prior to January 1, [2024] 2025, and every five years thereafter, a
170 local or regional board of education shall provide for a uniform
171 inspection and evaluation of the heating, ventilation and air
172 conditioning system within each school building under its jurisdiction.
173 Such inspection and evaluation shall be performed by a certified testing,
174 adjusting and balancing technician, an industrial hygienist certified by
175 the American Board of Industrial Hygiene or the Board for Global EHS
176 Credentialing, or a mechanical engineer. Such heating, ventilation and
177 air conditioning systems inspection and evaluation shall include, but
178 need not be limited to: (A) Testing for maximum filter efficiency, (B)
179 physical measurements of outside air delivery rate, (C) verification of
180 the appropriate condition and operation of ventilation components, (D)
181 measurement of air distribution through all system inlets and outlets,
182 (E) verification of unit operation and that required maintenance has
183 been performed in accordance with the most recent indoor ventilation
184 standards promulgated by the American Society of Heating,
185 Refrigerating and Air-Conditioning Engineers, (F) verification of control
186 sequences, (G) verification of carbon dioxide sensors and acceptable
187 carbon dioxide concentrations indoors, and (H) collection of field data
188 for the installation of mechanical ventilation if none exist. The
189 ventilation systems inspection and evaluation shall identify to what
190 extent each school's current ventilation system components, including
191 any existing central or noncentral mechanical ventilation system, are
192 operating in such a manner as to provide appropriate ventilation to the
193 school building in accordance with most recent indoor ventilation
194 standards promulgated by the American Society of Heating,
195 Refrigerating and Air-Conditioning Engineers. The inspection and
196 evaluation shall result in a written report, and such report shall include
197 any corrective actions necessary to be performed to the mechanical
198 ventilation system or the heating, ventilation and air conditioning
199 infrastructure, including installation of filters meeting the most optimal
200 level of filtration available for a given heating, ventilation and air

201 conditioning system, installation of carbon dioxide sensors and
202 additional maintenance, repairs, upgrades or replacement. Any such
203 corrective actions shall be performed, where appropriate, by a
204 contractor, who is licensed in accordance with chapter 393. Any local or
205 regional board of education conducting an inspection and evaluations
206 pursuant to this subsection shall (i) make available for public inspection
207 the results of such inspection and evaluation at a regularly scheduled
208 meeting of such board and on the Internet web site of such board and
209 on the Internet web site, if any, of each individual school, and (ii) submit
210 the report and results of such inspection and evaluation to the
211 Department of Administrative Services in accordance with the
212 provisions of section 2 of this act. A local or regional board of education
213 shall not be required to provide for a uniform inspection and evaluation
214 under this subdivision for any school building that will cease to be used
215 as a school building within the three years from when such inspection
216 and evaluation is to be performed. The Department of Administrative
217 Services may, upon request of a local or regional board of education,
218 grant a waiver of the January 1, 2025, deadline for the provision of a
219 uniform inspection and evaluation under this subdivision if the
220 department finds that (I) there is an insufficient number of certified
221 testing, adjusting and balancing technicians, industrial hygienists
222 certified by the American Board of Industrial Hygiene or the Board for
223 Global EHS Credentialing, or mechanical engineers to perform such
224 inspection and evaluation, (II) such board has provided for an
225 inspection that was performed in a different format, but is deemed
226 equivalent by the department, or (III) such board has scheduled such
227 inspection and evaluation for a date after January 1, 2025.

228 Sec. 4. Section 10-265t of the general statutes is repealed and the
229 following is substituted in lieu thereof (*Effective July 1, 2023*):

230 (a) For the purposes described in subsection (b) of this section, the
231 State Bond Commission shall have the power from time to time to
232 authorize the issuance of bonds of the state in one or more series and in
233 principal amounts not exceeding in the aggregate [seventy-five million
234 dollars] three hundred seventy-five million dollars, provided one

235 hundred fifty million dollars of said authorization shall be effective July
236 1, 2024.

237 (b) The proceeds of the sale of said bonds, to the extent of the amount
238 stated in subsection (a) of this section, shall be used by the Department
239 of Administrative Services for the purpose of providing grants-in-aid
240 for school air quality improvements [including, but not limited to,
241 upgrades to, replacement of or installation of heating, ventilation and
242 air conditioning equipment] under the heating, ventilation and air
243 conditioning system grant program pursuant to section 10-265r,
244 provided not more than fifty million dollars of such proceeds may be
245 used to provide reimbursements for such improvements that were
246 completed not earlier than March 1, 2020, and not later than July 1, 2022.

247 (c) All provisions of section 3-20, or the exercise of any right or power
248 granted thereby, which are not inconsistent with the provisions of this
249 section are hereby adopted and shall apply to all bonds authorized by
250 the State Bond Commission pursuant to this section, and temporary
251 notes in anticipation of the money to be derived from the sale of any
252 such bonds so authorized may be issued in accordance with said section
253 3-20 and from time to time renewed. Such bonds shall mature at such
254 time or times not exceeding twenty years from their respective dates as
255 may be provided in or pursuant to the resolution or resolutions of the
256 State Bond Commission authorizing such bonds. None of said bonds
257 shall be authorized except upon a finding by the State Bond
258 Commission that there has been filed with it a request for such
259 authorization which is signed by or on behalf of the Secretary of the
260 Office of Policy and Management and states such terms and conditions
261 as said commission, in its discretion, may require. Said bonds issued
262 pursuant to this section shall be general obligations of the state and the
263 full faith and credit of the state of Connecticut are pledged for the
264 payment of the principal of and interest on said bonds as the same
265 become due, and accordingly and as part of the contract of the state with
266 the holders of said bonds, appropriation of all amounts necessary for
267 punctual payment of such principal and interest is hereby made, and
268 the State Treasurer shall pay such principal and interest as the same

269 become due.

270 Sec. 5. (NEW) (Effective July 1, 2023) On or before July 1, 2024, the
271 Commissioner of Public Health shall adopt regulations, in accordance
272 with the provisions of chapter 54 of the general statutes, to establish an
273 optimal thermal comfort range of sixty-five to eighty degrees Fahrenheit
274 for school buildings and facilities, except that gymnasiums and
275 natatoriums may have a larger optimal thermal comfort range.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	PA 22-118, Sec. 370
Sec. 2	<i>July 1, 2023</i>	New section
Sec. 3	<i>July 1, 2023</i>	10-220(d)
Sec. 4	<i>July 1, 2023</i>	10-265t
Sec. 5	<i>July 1, 2023</i>	New section

Statement of Purpose:

To (1) implement the recommendations of the school indoor air quality working group by extending and expanding the charge of the school indoor air quality working group, (2) establish the School Indoor Air Quality and HVAC Portal for the purpose of collecting and making available reports of inspections and evaluations of school indoor air quality and heating, ventilation and air conditioning systems, (3) increase the amount of funding under the heating, ventilation and air conditioning system grant program, and (4) require the Commissioner of Public Health to establish an optimal thermal comfort range in school buildings and facilities.

[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.]