
OLR Bill Analysis

sHB 5483

AN ACT ESTABLISHING AND TRANSFERRING VARIOUS FUNCTIONS TO A DIVISION OF FIRE SERVICES ADMINISTRATION WITHIN THE DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION AND REVISING THE POWERS AND COMPOSITION OF THE COMMISSION ON FIRE PREVENTION AND CONTROL.

SUMMARY

This bill merges the Office of State Fire Administration and the Department of Administrative Services' (DAS) Office of the State Fire Marshal and Office of Education and Data Administration into a newly created Division of Fire Services Administration within the Department of Emergency Services and Public Protection (DESPP). It designates the division as a successor to these offices and generally assigns jurisdiction of this new division to the state fire administrator, whom the bill requires the governor to appoint. It also reassigns the administrator's current duties to the division and expands on them.

Additionally, the bill makes several changes to the Commission on Fire Prevention and Control, including expanding its membership and its powers and duties, such as requiring it to distribute funding for fire school operations.

The bill also makes conforming and technical changes.

EFFECTIVE DATE: July 1, 2025.

§§ 1 & 4-27 — DIVISION OF FIRE SERVICES ADMINISTRATION

The bill requires that the functions, powers, duties, and personnel of the Office of State Fire Administration, Office of the State Fire Marshal, and Office of Education and Data Administration be transferred to the Division of Fire Services Administration. Additionally, any order or regulation of these offices that is in force on the effective date of the bill

must continue in force and effect as an order or regulation of the division until it is amended, repealed, or superseded. The bill makes conforming changes to carry out this transfer, including requiring the division, rather than the Office of State Fire Administration, to administer the state's responsibilities under federal laws relevant to fire services and to develop a master plan for fire prevention and control. It also requires the DESPP commissioner, rather than the DAS commissioner, to appoint the state fire marshal.

Under the bill, the DESPP commissioner must serve as the Division of Fire Services Administration's administrative head but delegate his jurisdiction of the division to the state fire administrator. Relatedly, the bill changes who appoints the state fire administrator from the DESPP commissioner to the governor. (It retains the Commission on Fire Prevention and Control's responsibility to recommend a candidate for this position.)

The bill also transfers the state fire administrator's current duties to the Division of Fire Services Administration and adds new ones. Specifically, whereas current law requires the state fire administrator to coordinate the training and education of fire service personnel at state institutions, facilities, and properties, the bill instead requires the division to do the following:

1. advise and assist the Commission on Fire Prevention and Control on legislative proposals;
2. encourage the expansion and improvement of existing local firefighter training facilities in cooperation with the commission;
3. administer the state fire school and certification examinations, testing procedures, and reciprocity recognition for credentials in the fire service disciplines; and
4. make recommendations to the commission on the operational funding of the state fire school and regional fire schools.

The bill also requires the division to recommend and give reports on

revisions to statutes on firefighter training and fire prevention and control. (The bill does not specify to whom these recommendations and reports must be sent.)

§ 2 — COMMISSION ON FIRE PREVENTION AND CONTROL MEMBERSHIP

The bill makes several changes to the Commission on Fire Prevention and Control membership beginning July 1, 2025. Generally, it increases the commission's size from 14 voting members to 19 voting members and three nonvoting members. It also changes its composition from 12 gubernatorial appointees and two ex-officio members to 10 legislative appointees, six gubernatorial appointees, and six ex-officio members (three voting and three non-voting). It additionally requires members of the Connecticut State Firefighters Association, Inc.'s education committee to serve as a commission subcommittee on matters relating to fire schools.

Under current law, the commission consists of the state fire marshal and the Connecticut State Colleges and Universities (CSCU) president (or their respective designees) and 12 members appointed by the governor, representing six specified entities. The bill retains the fire marshal (or designee) on the commission but removes the CSCU president. It also changes the (1) appointing authority for seven of these members and (2) represented entity for one of them, as shown in the table below.

Table: Changes to Appointing Authorities

<i>Entity</i>	<i>Appointing Authority</i>	
	<i>Current Law</i>	<i>The Bill</i>
Connecticut State Firefighter's Association	Two by the governor	One by the governor and one by the Senate majority leader
Connecticut Fire Chiefs Association	Two by the governor	One by the governor and one by the Senate president pro tempore
Uniformed Professional Firefighters of the International Association of Firefighters, AFL-CIO	Two by the governor	One by the governor and one by the House majority leader

Entity	Appointing Authority	
	Current Law	The Bill
Connecticut Fire Marshals Association	Two by the governor	One by the governor and one by the Senate minority leader
Connecticut Fire Department Instructors Association	Two by the governor	One by the governor and one by the House minority leader
Connecticut Conference of Municipalities	Two by the governor	One by the Public Safety and Security Committee Senate chairperson
Connecticut Council of Small Towns	N/A	One by the Public Safety and Security Committee House chairperson

Beyond these changes, the bill adds six new voting members as follows:

1. two members of the Connecticut Career Fire Chiefs' Association, one appointed by the governor and the other by the House speaker;
2. one member of the Connecticut Fire Equipment Mechanics Association, appointed by the Public Safety and Security Committee's House ranking member;
3. one representative of the Emergency Medical Services Advisory Board, appointed by the Public Safety and Security Committee's Senate ranking member;
4. the Connecticut State Firefighters Association, Inc.'s education committee chairperson; and
5. the Department of Energy and Environmental Protection Forestry Division's forest protection supervisor.

The bill also adds the following three officials as nonvoting members:

1. DESPP Division of Emergency Management and Homeland Security's director (or the director's designee),
2. DESPP State Police Fire and Explosion Investigation Unit

director, and

3. Connecticut Technical Education and Career System's executive director (or the executive director's designee).

By law, appointed members are appointed to three-year terms; the bill allows members to continue to serve until a successor is appointed. As under current law for the governor's appointments, the bill requires each organization to be represented on the commission to submit a list of nominees to the appropriate appointing authority annually by July 15.

Under existing law, appointees must be qualified, by experience or education, in the fields of fire protection, fire prevention, fire suppression, firefighting, and related fields.

§§ 3-4 — COMMISSION ON FIRE PREVENTION AND CONTROL POWERS AND DUTIES

The bill makes several changes to the Commission on Fire Prevention and Control's powers and duties, principally by making it responsible for establishing certain standards and training instead of recommending them. The bill specifically requires the commission to:

1. create and periodically update required minimum standards of education and physical condition for candidates for any firefighter position, instead of recommending them;
2. set and periodically update standards for fire service training and education programs, rather than doing so on a voluntary basis;
3. create a required fire service training and education program in the handling of incidents, such as wandering, that involve juveniles and adults with autism spectrum disorder, instead of establishing an optional one; and
4. set standards for promotion to the various ranks of fire departments, rather than recommending them.

The bill further requires the commission do the following:

1. distribute any state, federal, or private funds or contributions for state fire school's and regional fire schools' daily operation; and
2. make recommendations on the funding needed for operating, maintaining, and making capital improvements to the state fire school and regional fire schools as part of the existing annual reporting it must submit to the governor, legislature, and DESPP commissioner.

The bill requires the commission to submit this annual report to the Public Safety and Security Committee, rather than the Legislative Management Committee as current law requires.

The bill eliminates the commission's authority to appoint clerical and other assistants it deems necessary to carry out the Office of State Fire Administration's functions.

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable Substitute

Yea 25 Nay 0 (03/19/2024)