



Acts Affecting First Responders

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Notice to Readers

This report provides summaries of new laws (public acts and special acts) significantly affecting first responders enacted during the 2021 regular session and June special session (JSS). OLR's other Acts Affecting reports, including Acts Affecting Criminal Justice and Public Safety, are, or will soon be, available on OLR's website: <https://www.cga.ct.gov/olr/actsaffecting.asp>.

Each summary indicates the public act (PA) number or special act (SA) number. Not all provisions of the acts are included. The report does not include vetoed acts unless the veto was overridden. Complete summaries of public acts are, or will soon be, available on OLR's website: <https://www.cga.ct.gov/olr/olrpasums.asp>.

Readers are encouraged to obtain the full text of acts that interest them from the Connecticut State Library, House Clerk's Office, or General Assembly's website: <https://www.cga.ct.gov/>.

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Emergency Medical Service (EMS) Personnel

Continuing Education for EMS Personnel

A new law requires EMS personnel to enter, track, and reconcile their required continuing education hours in a form and manner the Department of Public Health (DPH) commissioner prescribes, instead of using a DPH-approved online database. The act applies to emergency medical responders, emergency medical technicians (EMTs), advanced EMTs, and EMS instructors ([PA 21-121](#), §§ 59 & 95, most provisions are effective July 1, 2021).

DPH Authority to Waive EMS Regulations

New legislation allows the DPH commissioner to waive regulations that apply to EMS organizations or personnel if she determines that (1) doing so would not endanger the health, safety, or welfare of any patient or resident and (2) the waiver does not affect maximum allowable rates for each EMS organization or primary service area assignments. Existing law grants the commissioner generally similar waiver authority regarding DPH-licensed health care institutions ([PA 21-121](#), § 11, effective July 1, 2021).

EMS Address Changes

A new law allows an EMS organization, instead of only an ambulance service, to apply to DPH to change its address or add a branch location within its primary service area. Prior law required an EMS organization to complete the certificate of need process in order to make such a change ([PA 21-121](#), § 69, effective upon passage).

EMS Advisory Board

New legislation requires the DPH commissioner to appoint a member to the Connecticut EMS Advisory Board if the appointment is vacant for more than one year. The commissioner must notify the appointing authority of her appointee's identity at least 30 days before making the appointment. Among other things, the EMS Advisory Board reviews and comments on all DPH regulations, medical guidelines, and EMS-related policies before they are implemented ([PA 21-121](#), §60, effective upon passage).

Mental Health First Aid Training for Paramedics

Prior law required applicants for paramedic licensure to have successfully completed mental health first aid training provided by a National Council for Behavioral Health-certified instructor. A new law additionally allows applicants to have completed this training provided by other organizations with

substantially similar certification requirements, as determined by the DPH commissioner ([PA 21-134](#), effective upon passage).

Mental Health Training and Education for Healthcare Professionals

A new law expands the continuing education requirements for certain healthcare professionals, including emergency medical responders, EMTs, or emergency medical instructors, to include at least two hours of training and education on (1) screening for post-traumatic stress disorder, suicide risk, depression, and grief and (2) suicide prevention training. The requirement generally applies (1) during the first license or certification renewal period, as applicable, and (2) at least once every six years thereafter ([PA 21-46](#), §§ 2-9, effective July 1, 2021).

Firefighters

Certificates of Occupancy

Existing law prohibits the issuance of a certificate of occupancy for residential buildings and schools generally subject to requirements for smoke or carbon monoxide detectors unless the local fire marshal or building official certifies that the building equipment complies with the Fire Safety Code. A new law requires the local fire marshal or building official to additionally certify that the smoke and carbon monoxide equipment comply with the State Building Code ([PA 21-165](#), § 1, effective July 1, 2021).

Fire Apparatus Sale and Repair Study

A new law requires the Department of Motor Vehicles (DMV) commissioner to study compliance with the laws regarding the sale and repair of fire apparatus in Connecticut and submit a report with her findings and recommendations to the Transportation Committee by February 1, 2022 ([PA 21-106](#), § 43, effective upon passage).

Fire Code Variations and Exemptions

Under the existing law regarding an application for variations or exemptions from the Fire Safety or Fire Prevention Codes, a local fire marshal must forward to the State Fire Marshal by first class mail the application along with a letter on the application's merits within 15 business days of receiving the application. A new law allows the local fire marshal to provide these materials by email ([PA 21-165](#), § 5, effective July 1, 2021).

Firefighter Cancer Relief Benefits Task Force

The legislature created a 14-member task force to study cancer relief benefits for firefighters. The task force must examine the (1) adequacy of the existing firefighters' cancer relief program and (2) feasibility of providing workers' compensation and other benefits to firefighters who are diagnosed with cancer acquired as a result of occupational exposure to noxious fumes or poisonous gases. It must submit its recommendations to the Labor and Public Employees Committee by January 1, 2022 ([SA 21-35](#), effective upon passage).

Fire Safety Code Orders, Injunctions, and Citations

New legislation allows the State Fire Marshal or local fire marshals to (1) order a building owner or occupant to remedy conditions that violate the Fire Safety Code, (2) file an injunction to close or restrict the use of the property until the condition has been remedied, and (3) issue a citation instead of an order ([PA 21-165](#), § 4, effective July 1, 2021).

Fire Services Consolidation Study

A new law requires the Office of Policy and Management (OPM) secretary, in consultation with municipal officials and a Uniformed Professional Firefighters Association representative, to study the obstacles to merging or consolidating fire districts and departments of multiple municipalities. The OPM secretary must submit a report on the study's findings to the Planning and Development Committee by January 1, 2022 ([SA 21-12](#), effective upon passage).

Local Fire Marshal Inspections

A new law requires local fire marshals to inspect, or cause to be inspected, all buildings and facilities of public service and occupancies regulated by the State Fire Prevention Code at least once per calendar year or as often as the State Fire Marshal prescribes. The law exempts residential buildings designed to be occupied by one or two families from this requirement and instead requires they be inspected upon the owner or occupant's complaint and only to determine whether smoke detector requirements have been met ([PA 21-165](#), § 6, effective July 1, 2021).

Municipal Reports for Fires, Explosions, or Other Fire Emergencies

By law, when a fire, explosion, or other fire emergency occurs, the fire chief or local fire marshal with jurisdiction over the location must report to the State Fire Marshal on facts relating to the incident's cause, origin, kind, and estimated value and ownership of damaged or destroyed property, along with other information as the State Fire Marshal prescribes. New legislation eliminates a requirement that this report include (1) the name of each firefighter who was present

at the incident and, as a result, exposed to heat, radiation, or a known or suspected carcinogen and (2) the duration of each firefighter's exposure ([PA 21-165](#), § 13, effective July 1, 2021).

PFAS in Firefighting Foam

A new law generally prohibits using class B firefighting foam with intentionally added perfluoroalkyl or polyfluoroalkyl substance (PFAS), which is used to extinguish flammable liquid fires. The new law bans its use for training or testing purposes. It also, beginning October 1, 2021, bans it for vapor suppression or firefighting unless certain exceptions apply (e.g., for a flammable liquid-based fire if the Department of Energy and Environmental Protection (DEEP) has not identified an alternative). Lastly, the new law requires the DEEP commissioner to develop or identify a take-back program for municipally owned class B firefighting foam with PFAS that applies best management practices for its disposal ([PA 21-191](#), § 1, effective upon passage).

Public Nuisances

By law, the state can bring an action to abate a public nuisance on any real property on which, within the previous year, there have been three or more (1) arrests for certain crimes, (2) arrest warrants issued for certain crimes indicating a pattern of criminal activity, or (3) municipal citations issued for certain violations. Among various other crimes, this applies to fire safety violations under specified laws. A new law specifies that this includes violations under the state's Fire Prevention Code ([PA 21-121](#), § 37, effective October 1, 2021).

Temporary Local Fire Marshal Appointments

When a local fire marshal can no longer serve due to death, disability, dismissal, retirement, or revocation of his or her certification and there is no existing deputy fire marshal, prior law authorized municipal officials or entities to appoint a deputy fire marshal as the acting fire marshal. A new law instead allows the officials to appoint a person who holds a fire marshal certification issued by the State Fire Marshal and the Codes and Standards Committee. Existing law limits this position to a maximum of 180 days ([PA 21-165](#), § 12, effective July 1, 2021).

Volunteer Fire Department Training Grants

A new law requires the state fire administrator, beginning in FY 22, to annually award a grant to distressed municipalities to cover the cost of certification and recruit training for their volunteer fire departments. It also imposes reporting requirements relating to the grant on the state fire administrator and each distressed municipality's volunteer fire chief ([PA 21-2](#), June Special Session (JSS), § 9, effective July 1, 2021).

Law Enforcement

Automated Processes for Criminal Record Erasure

Starting in 2023, a new law provides for the erasure of certain criminal conviction records (including police records) after a specified period following the person's most recent conviction. Under the new law, eligible convictions are generally subject to erasure seven years (for misdemeanors) or 10 years (for felonies) after the person's most recent conviction.

The act requires the Department of Emergency Services and Public Protection (DESPP), in consultation with the judicial branch and the Criminal Justice Information System Governing Board, to develop and implement automated processes for criminal record erasure. It allows DESPP, within available appropriations, to post information on its website or otherwise disseminate information on which records are subject to erasure ([PA 21-32](#), as amended by [PA 21-33](#), § 10, most provisions are effective January 1, 2023).

Civilian Police Review Board Objections

A new law provides a process for a person to object to a subpoena issued by a civilian police review board. It allows the person, within specified timeframes, to file an objection with the court. The act also allows the court to order the person to appear, give testimony, or produce evidence ([PA 21-33](#), § 1, effective October 1, 2021).

Consent Searches on the Person

New legislation allows a law enforcement officer to ask a person if he or she may conduct a search of their person, if the officer has reasonable and articulable suspicion that (1) weapons, contraband, or other evidence of a crime is contained on the person or (2) the search is reasonably necessary to further an ongoing law enforcement investigation. Under prior law, an individual's consent to conduct a search of his or her body was not justification for a law enforcement official to conduct the search, unless there was probable cause ([PA 21-33](#), § 6, effective October 1, 2021).

Motor Vehicle Registration Task Force

The legislature reconstituted and modified the motor vehicle registration task force, charging it with studying compliance with motor vehicle registration laws and making recommendations to prevent Connecticut residents from registering motor vehicles out-of-state. Task force members must be appointed by Transportation Committee leadership and must include tax assessors, police chiefs, and police officers. The task force must submit a report with its findings to the Transportation Committee by January 1, 2022 ([PA 21-106](#), § 31, effective upon passage).

No-Knock Warrants

A new law prohibits certain law enforcement officials (e.g., police) from seeking, executing, or participating in the execution of a no-knock warrant. Additionally, under the act, search warrants must require officers to provide notice of their identity, authority, and purpose before entering the place to be searched ([PA 21-33](#), § 7, effective October 1, 2021).

Police Decertification

New legislation expands the grounds under which the Police Officer Standards and Training Council (POST) may cancel or revoke a police officer's certification by including instances where an officer undermines public confidence by doing things such as issuing orders that are not lawful. As under existing law, an officer's law enforcement unit, under its procedures, must have found that the officer engaged in this conduct before canceling or revoking an officer's certification ([PA 21-33](#), § 11, effective October 1, 2021).

Opportunity for Police to Review Certain Recordings

A new law extends police officers' rights to review certain recordings (e.g., body camera recordings) to instances when a police officer's image or voice is captured on a recording for which a public disclosure request has been made and (1) the officer has not been asked to give a formal statement or (2) a disciplinary investigation has not been initiated. The act requires public disclosure by the earlier of (1) 48 hours after an officer has reviewed the recording or (2) 96 hours after the disclosure request, if the officer does not review it ([PA 21-33](#), §§ 2 & 3, most provisions are effective October 1, 2021).

Opioid Antagonist and Epinephrine Cartridge Injector Use

New legislation requires law enforcement units to (1) require their police officers to be trained to use opioid antagonists (e.g., Narcan) and (2) acquire and maintain a supply of these medications for use by their police officers when responding to a medical emergency. A police officer who completes the training must be permitted to carry opioid antagonists and administer them to an individual whom the officer believes in good faith is experiencing an opioid-related drug overdose.

The act also requires POST, in consultation with DESPP and DPH, to convene a working group to study the feasibility of requiring police officers to carry epinephrine cartridge injectors (e.g., Epi-Pens) and administer them to an individual whom the officer believes in good faith is experiencing anaphylaxis. POST must submit a report on the working group's findings and recommendations to the Public Safety and Security Committee by January 1, 2023 ([PA 21-108](#), effective upon passage).

Recreational Cannabis

A new law establishes legal adult recreational use of cannabis and in doing so, makes certain changes to police procedures and related laws. For example, it:

1. limits when cannabis odor or possession can justify a search or motor vehicle stop;
2. generally prohibits law enforcement officers from assisting a federal operation related to cannabis if the activity complies with the act's provisions;
3. requires POST, by January 1, 2022, to issue guidance on how police officers must determine whether the cannabis possessed by a person exceeds the act's possession limit; and
4. makes changes to the administrative per se license sanctions process for impaired driving, including establishing procedures and conditions for requesting, administering, and documenting drug influence evaluations conducted by drug recognition experts (DREs).

The act also requires certain training, plans, and studies affecting police officers, including:

1. requiring POST and the Department of Transportation (DOT) to (a) determine the number of accredited DREs needed to respond to impaired driving based on recommendations it receives from each law enforcement unit in the state and (b) develop a training policy;
2. requiring officers who have not been recertified for the second time after initial certification to be certified in advanced roadside impaired driving enforcement;
3. requiring DESPP to study the feasibility of establishing a phlebotomy program for police departments and a facility for cannabis impairment training; and
4. requiring OPM to include stops conducted on suspicion of DUI in its annual report on traffic stops ([PA 21-1](#), JSS, various effective dates).

School Bus Passing Violations

New legislation changes the process for issuing tickets for school bus passing violations based on evidence from a school bus violation detection video monitoring system (i.e., stop arm cameras). Specifically, it (1) extends, from 10 to 30 days, the deadline for law enforcement to issue a ticket after a violation is recorded and (2) removes the requirement for a signed affidavit from the person who witnessed the violation live ([PA 21-106](#), § 42, effective October 1, 2021).

Snowmobile and All-Terrain Vehicle Operators

By law, motor vehicle operators implicitly consent to chemical analyses of their blood, breath, or urine; and if the operator is a minor, his or her parents or guardians have implicitly consented for him or her. Existing law applies this requirement to all vehicles used on public roads. A new law also

applies it to snowmobiles and all-terrain vehicles (ATVs). The implied consent law establishes administrative license suspension procedures for operators who refuse to submit to a test or whose test results indicate an elevated blood alcohol content. Relatedly, the act's specific inclusion of snowmobiles and ATVs align the implied consent law with the state's criminal DUI laws ([PA 21-106](#), § 26, effective July 1, 2021).

Unfavorable Inference

A new law allows a trier of fact (e.g., judge or jury) to draw an unfavorable inference from the deliberate failure of a police officer who wears a body camera to record his or her use of force or other relevant incidents in civil cases involving depriving someone of state law's equal protection or privileges and immunities ([PA 21-33](#), §§ 8 & 9, effective July 1, 2021, for unfavorable inferences for use of force and January 1, 2022, for civil cases).

Use of Force

New legislation delays, from April 1, 2021, to January 1, 2022, the effective date of 2020 legislative changes affecting the use of force by law enforcement (PA 20-1, July Special Session, § 29). It also changes the circumstances in which officers are justified in using deadly physical force by, among other things, (1) basing the objective reasonableness standard on the officer's given circumstances at that time; (2) requiring officers to have reasonably determined that no reasonable alternative existed, rather than having exhausted those alternatives, if using deadly force when making an arrest or preventing escape; and (3) establishing the condition that an escaping person poses a significant threat of death or serious physical injury to others, among other requirements ([PA 21-4](#), effective March 31, 2021, for the effective date provision and January 1, 2022, for modifying the use of deadly force justification).

Work Zone Speed Camera Pilot Program

A new law allows DOT to establish a pilot program for two years beginning January 1, 2022, to operate speed cameras at up to three highway work zones at any one time. The law establishes conditions and procedures for camera operation, violation enforcement, and data collection and retention, including tasking sworn or authorized members of the State Police with reviewing recordings and issuing violation notices ([PA 21-2](#), JSS, §§ 296-305, effective October 1, 2021).

Miscellaneous Acts Affecting Multiple First Responders

Background Check Fee Waiver

New legislation exempts volunteer fire companies or departments and volunteer ambulance services or companies, from the fees that the law requires DESPP to charge for fingerprinting and

name, fingerprint, personal record, letters of good conduct, bar association, and criminal history record information searches. Existing law already exempts federal, state, and municipal agencies from these fees. The act also prohibits the DESPP commissioner from requiring these volunteer fire and ambulance organizations to provide proof of insurance as a condition of receiving the fee waivers ([PA 21-2](#), JSS, § 84, effective July 1, 2021).

CRISIS Initiative Expansion

A new law requires the State Police, in conjunction with the Department of Mental Health and Addiction Services, to expand the Connection to Recovery through Intervention, Support, and Initiating Services Initiative pilot program (i.e., CRISIS Initiative) to Troop D. Additionally, the act establishes a task force to study the costs and benefits of expanding the pilot program throughout the state. The task force must submit a report with its findings and recommendations to the Public Safety and Security Committee by January 1, 2022 ([PA 21-2](#), JSS, §§ 75 & 76, effective upon passage).

Emergency Vehicle Definitions

A new law modifies the statutory definitions of the terms “emergency vehicle” and “authorized emergency vehicle” as used in the laws establishing those vehicles’ rights and motorists’ responsibilities with respect to them. Specifically, the act expands the definition of “emergency vehicle” to include (1) any ambulance or vehicle operated by an emergency medical service organization member taking a patient to a hospital and (2) any DEEP vehicle operated by an authorized DEEP employee while in the course of his or her employment and while going to a fire or responding to an emergency call, but not returning from one.

The act also specifies that an ambulance, rather than a public service company or municipal department ambulance or emergency vehicle designated or authorized by the DMV commissioner, is an “authorized emergency vehicle” ([PA 21-106](#), §§ 34 & 35, effective upon passage).

Essential Workers COVID Assistance Program

The legislature created the Connecticut Essential Workers COVID-19 Assistance Program to provide benefits for lost wages, out-of-pocket medical expenses, and burial expenses to certain essential employees (e.g., firefighters and police officers) who could not work due to contracting COVID-19. The program’s benefits are available within available funds and on a first-come, first-served basis, and will be paid only through June 30, 2024 ([PA 21-2](#), JSS, § 289, effective October 1, 2021).

Municipal Property Tax Exemption for Certain Emergency Volunteers

A new law increases the maximum property tax exemption that municipalities may provide to certain active and retired volunteer emergency personnel, making it equal to the maximum amount of relief municipalities may provide these people through abatements (i.e., \$2,000). As under prior law, the emergency volunteers to whom municipalities may, by ordinance, provide the tax relief to include firefighters, police officers, EMTs, and retired volunteers who served at least 25 years in those roles ([PA 21-83](#), effective July 1, 2021, and applicable to assessment years starting on or after October 1, 2021).

Post-Traumatic Stress Injuries

A new law makes EMS personnel and 9-1-1 emergency dispatchers eligible to receive workers' compensation benefits for post-traumatic stress injuries (PTSI). As under the existing law, which already covers police officers and firefighters, eligible EMS personnel and emergency dispatchers must be diagnosed with PTSI as a direct result of certain qualifying events (e.g., witnessing or hearing someone's death) that occur in the line of duty ([PA 21-107](#), effective upon passage).

Public Safety Answering Points Consolidation Task Force

The legislature established a task force to study the current system of public safety answering points and make recommendations for consolidating them while prioritizing the need to ensure public safety. The task force must submit to the Public Safety and Security and Planning and Development committees (1) an interim report by February 1, 2022, and (2) a final report by January 1, 2023 ([SA 21-16](#), effective upon passage).

Project Longevity Initiative Expansion

A new law expands the "Project Longevity Initiative" to Waterbury. Project Longevity, a comprehensive community-based initiative to reduce gun violence in Connecticut's cities, is already in place in New Haven, Hartford, and Bridgeport. Under the act, the OPM secretary must submit a plan to implement the initiative statewide to the Public Safety and Security Committee by February 1, 2022 ([PA 21-153](#), effective upon passage).

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