
OLR Bill Analysis

sHB 7119

AN ACT CONCERNING THE STATE FIRE PREVENTION CODE, THE STATE FIRE SAFETY CODE, THE REPORTING OF IDENTIFYING INFORMATION, THE STATE BUILDING CODE, ORDERS OF BUILDING INSPECTORS AND LOCAL FIRE MARSHALS AND ELEVATOR INSPECTIONS.

SUMMARY

This bill makes several changes to laws regarding the state building and fire codes and responsibilities for nonresident owners and landlords. Principally, the bill:

1. requires Department of Emergency Services and Public Protection (DESPP) regulations on explosives, fireworks, pyrotechnics, and rockets to be consistent with the State Fire Prevention Code (§§ 1-4);
2. increases the membership of the state fire marshal's advisory committee to include two individuals suggested by DESPP's Fire and Explosion Investigation Unit (§ 5);
3. allows the DESPP commissioner to issue official interpretations of the State Fire Prevention Code, instead of only the state fire marshal being able to do so (§ 5);
4. requires nonresident owners and certain federally contracted providers of rental real property in municipalities with 25,000 or more people to provide their identifying information to the town, and landlords to comply (§§ 6 & 7);
5. increases potential fines for subsequent violations of (a) the State Building Code, State Fire Prevention Code, or Fire Safety Code or (b) ignoring a building inspector's written order (§§ 8-10);
6. modifies penalties for people who create fire hazards that

endanger life or property (§ 11);

7. requires the State Building Code to be amended to (a) specifically allow the installation of elevators of a certain size in residential buildings with six or fewer floors and less than 25 residential units and (b) define certain terms related to temporary agricultural structures (§ 12);
8. tasks the State Building Inspector and the Codes and Standards Committee (CSC) with creating and sharing a model ordinance with stricter energy-efficiency requirements than the State Building Code that supersede the code's comparable requirements for municipalities that adopt the ordinance (§ 13); and
9. requires age-restricted privately owned multifamily housing projects to have their elevators inspected at least once every 12 months by a Department of Administrative Services (DAS) elevator inspector (§ 14).

The bill also makes minor, technical, and conforming changes.

EFFECTIVE DATE: October 1, 2025, except the provisions on DESPP's regulations and the state fire marshal are effective upon passage.

§§ 1-4 — DESPP'S REGULATIONS FOR EXPLOSIVES, FIREWORKS, PYROTECHNICS, AND ROCKETS

Existing law gives the DESPP commissioner regulatory authority over the use of explosives and blasting agents; fireworks; indoor pyrotechnics, sparklers, and fountains for special effects; supervised special effect displays with pyrotechnics or flame producing devices; and rockets propelled by rocket motors.

The bill requires that the regulations concerning the use of these products be consistent with the State Fire Prevention Code. It also specifies that the commissioner has exclusive jurisdiction over them all, instead of only explosives and blasting agents as under current law.

§ 5 — STATE FIRE MARSHAL ADVISORY COMMITTEE

The bill expands the membership of the state fire marshal's advisory committee from 9 to 11 members by including two individuals from a list DESPP's Fire and Explosion Investigation Unit submits to the state fire marshal. By law, this committee coordinates with the state fire marshal on the State Fire Prevention Code's adoption and administration.

Currently, the committee consists of two individuals from a list of Codes and Standards Committee members that committee submits and the other seven represent local fire marshals, deputy fire marshals, and fire inspectors, selected from a list provided by the Connecticut Fire Marshals Association. By law, unchanged by the bill, the state fire marshal appoints the members to the committee.

§ 5 — STATE FIRE PREVENTION CODE INTERPRETATION

The bill allows the DESPP commissioner, instead of only the state fire marshal, to issue official interpretations of the State Fire Prevention Code, upon request.

Correspondingly, the bill requires the commissioner to jointly compile, index, and publish the code interpretations with the state fire marshal, instead of the fire marshal doing this on her own. By law, these interpretations must be published at least quarterly.

§§ 6 & 7 — NONRESIDENT OWNERS OR LANDLORDS OF RENTAL REAL PROPERTY

The bill requires municipalities with a population of at least 25,000 based on the most recent decennial census ("covered municipalities," for this bill analysis) to require certain residential property owners and landlords to report specified information to the municipality, such as their current residential address. Existing law allows, but does not require, all municipalities to do so.

The bill also requires the reports to covered municipalities to include other identifying information for the owner, landlord, or agent in charge of the building. Under current law, this requirement applies only to

certain individuals associated with a business entity that owns rental property.

Additionally, under the bill, violators commit a violation punishable by a \$250 to \$1,000 fine, rather than an infraction.

The bill adds complying with the modified reporting requirement to the law's list of landlord responsibilities. Under existing law, (1) rental agreements cannot allow landlords to receive rent payments for any period during which the landlord is noncompliant with these responsibilities (CGS § 47a-4a) and (2) a tenant who claims that the landlord failed to perform his or her legal duties may generally bring an action in Superior Court to seek relief (CGS § 47a-14h).

Municipal Landlord Identification Requirements

Current law allows municipalities to require nonresident property owners and landlords renting to federal Housing Choice Voucher program participants (also known as "project-based housing providers" or PBHPs) to report certain information to the tax assessor or another designated municipal officer. This information must include the following:

1. the owner's or PBHP's current residential address, if they are an individual, or
2. the current residential address of (a) the agent in charge of the building and (b) each person who exercises day-to-day financial or operational control of the property (the "controlling participants"), if the owner or PBHP is a business entity that owns rental property in the state.

For business entities, this report must also include identifying information for the controlling participants.

Identifying Information and Nonresident Owners

Current law does not define "identifying information," but under the bill it is proof of a person's name, birth date, current residential address, and driver's license number or other government-issued identification

number. The bill also defines nonresident owner, which is a person (or entity) who does not live at the residential rental property and is either (1) an owner or (2) a controlling participant.

Covered Municipalities

Under the bill, covered municipalities must require nonresident property owners and PBHPs to report the information described above to them. For these municipalities, the bill also expands the reporting requirement to include accurate identifying information for the nonresident owner, PBHP, or agent in charge. Under current law, reports provided to a tax assessor on or after October 1, 2023, are exempt from disclosure under the state's Freedom of Information Act. The bill makes these reports exempt regardless of when they were provided.

Violations of Reporting Requirement

Under the bill, a person who violates the reporting requirement discussed above commits a violation punishable by a \$250 to \$1,000 fine, rather than an infraction as under current law. (Infractions are punishable by fines, usually set by Superior Court judges, of between \$35 and \$90, plus a \$20 or \$35 surcharge and an additional fee based on the amount of the fine.)

Existing law also allows municipalities to adopt an ordinance setting a civil penalty for violations of the reporting requirement. The penalty cannot exceed \$500 for a first violation and \$1,000 for subsequent violations. Anyone who is assessed a civil penalty may appeal to the Superior Court (CGS § 47a-6b).

§§ 8-11 — BUILDING CODE AND FIRE-RELATED VIOLATIONS

Increased Fines for Repeat Code or Building Inspector Order Violations

Under current law, violations of the State Building Code, State Fire Prevention Code, and Fire Safety Code are punishable by a fine of \$200 to \$1,000, up to six months in prison, or both. The same penalties apply for violating a building inspector's written order to provide exit facilities or to repair, alter, or remove part of a building.

The bill increases the possible fine for subsequent violations to \$500 to \$2,000, while keeping the same maximum prison term.

As under existing law, fire code-related violations may also be subject to a fine of \$50 per day for each day the violation continues.

Increased Penalties for Fire Hazards

Under current law, anyone who (1) stores combustible materials in a way that poses an increased fire risk to people or property; (2) creates an environment that poses a fire risk or would interfere with people exiting a premise in the case of a fire; or (3) violates any laws on fire prevention or safety can be fined up to \$100, imprisoned up to three months, or both, and fined an additional \$50 for each day the conditions remain at the premises.

Under the bill, first-time violators can be fined up to \$250 but are no longer subject to possible daily fines or imprisonment. Repeat violators are guilty of a class A misdemeanor, which is punishable by a fine up to \$2,000 and up to 364 days in prison.

§§ 12 & 14 — RESIDENTIAL ELEVATORS

The bill requires the next adopted version of the State Building Code to explicitly permit the installation of elevators large enough for two people, including one in a wheelchair, in residential buildings with (1) six or fewer floors and (2) less than 25 residential units. The bill also requires the next code revision to define “high tunnels” and “hoop homes” and classify them as temporary agricultural structures.

Specifically, the state building inspector and CSC, with the DAS commissioner’s approval, must include these amendments in the next code update.

Inspections (§ 14)

The bill requires that all privately owned multifamily housing projects must have their elevators inspected at least once every 12 months by a DAS elevator inspector. Following each inspection, the inspector must submit a report to the state building inspector that describes the status of (1) each elevator on the premises and (2) any

ongoing elevator repair, including how long any elevator is expected to remain inoperable.

A privately owned multifamily housing project is a real property that is at least 15 stories tall, contains age restricted dwelling units, and is subject to a mortgage ensured under the National Housing Act (12 U.S.C. § 1701).

§ 13 — MODEL ENERGY-EFFICIENCY MUNICIPAL ORDINANCE

The bill requires the state building inspector and the CSC, by July 1, 2026, to create and share a model ordinance with stricter energy-efficiency requirements than the State Building Code. In developing the ordinance, the inspector and committee must consider input from the public and those with interest in the matter. Municipalities can adopt the ordinance, and if they do, it supersedes the energy efficiency requirements in the building code.

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable Substitute

Yea 29 Nay 0 (03/18/2025)