

The Connecticut General Assembly

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Memorandum

To: Senator Sujata Gadkar-Wilcox
Representative Christie Carpino
Senator John Kissel
Representative Mary Welander

From: Sarah O'Connor, Angela Rehm, Marie Grady and Michael Tellerico

Date: April 28, 2026

Subject: Proposed 2026 Connecticut State Fire Safety Code

This is a resubmittal of the proposed **2026 Connecticut State Fire Safety Code** that was rejected without prejudice at the committee's meeting on December 16, 2025. Substitute pages replacing the entire proposed code were submitted on February 13, 2026. The resubmittal with substitute pages was then withdrawn. The resubmittal addresses the substantive concerns and a majority of the technical corrections noted in the December 16, 2025 memorandum, except as noted in the handwritten comments in the attached pages.

In addition to the resubmitted **2026 Connecticut State Fire Safety Code**, the agency has provided for the committee's consideration a written explanation of the changes not made by the agency in response to the December 16, 2025 LCO memorandum. The agency declined to make some of the technical corrections that were recommended in the December 16, 2025 memorandum stating that those technical corrections would result in a difference from the underlying model code. Additional technical corrections are noted in the attached pages.

Substantive Concerns:

Additional Comments:

Recommendation:

- | | |
|----------|--|
| X | Approval in whole |
| X | with technical corrections
with deletions
with substitute pages |
| | Disapproval in whole or in part |
| | Rejection without prejudice |

Authorizing Statute:

Sec. 29-292a. Procedure for adoption and amendment of Fire Safety Code. (a) For the purposes of this section, "proposed code" means a proposal by the State Fire Marshal and the Codes and Standards Committee for a new Fire Safety Code or for a change in, addition to or repeal of any provision of the Fire Safety Code.

(b) Notwithstanding the provisions of chapter 54, the adoption of the Fire Safety Code and any amendments thereto shall not be required to comply with the provisions of chapter 54, except as provided in this section.

(c) Prior to the adoption of the Fire Safety Code and any amendments thereto, the State Fire Marshal shall (1) post any proposed code, a statement of purpose for which the proposed code is proposed, a fiscal note associated with compliance with the proposed code prepared pursuant to section 4-168, and a regulatory flexibility analysis prepared pursuant to section 4-168a on the Internet web site of the Department of Administrative Services, (2) give notice electronically to the joint standing committee of the General Assembly having cognizance of matters relating to public safety and security, (3) give notice to any person who has requested the State Fire Marshal for advance notice of the proposed code adoption proceedings, (4) provide for a public comment period of forty-five days following the posting of such proposed code, fiscal note and regulatory flexibility analysis, and (5) hold a public hearing on the proposed code not less than twenty nor more than thirty-five days after such posting.

(d) After the close of the public comment period, the State Fire Marshal and the Codes and Standards Committee shall respond to each written and oral comment respecting the proposed code received during the public comment period and at the public hearing. Such response shall include any change made to the proposed code if applicable, and the rationale for such change. The State Fire Marshal shall post such response on the Internet web site of the Department of Administrative Services not later than thirty days after the close of the public comment period.

(e) The State Fire Marshal and the Codes and Standards Committee shall create and maintain a code-making record for each proposed code, submit such code-making record electronically to the standing legislative regulation review committee and the joint standing committee of the General Assembly having cognizance of matters relating to public safety and security, and post such code-making record on the Internet web site of the Department of Administrative Services. Such code-making record shall include, but

need not be limited to: (1) The final wording of the proposed code in a format consistent with a nationally recognized model building code, (2) the fiscal note prepared pursuant to subsection (c) of this section, (3) the regulatory flexibility analysis prepared pursuant to subsection (c) of this section, (4) all written and oral comments received during the public comment period, and (5) the response to such comments prepared pursuant to subsection (d) of this section.

(f) The standing legislative regulation review committee shall have not more than forty-five days from the date the code-making record is submitted to the committee pursuant to subsection (e) of this section to convene a meeting to approve, disapprove or reject without prejudice the proposed code, in whole or in part. If the proposed code is withdrawn, the State Fire Marshal shall resubmit the proposed code and the committee shall have not more than forty-five days from the date of such resubmittal to convene a meeting to approve, disapprove or reject without prejudice the resubmitted proposed code. If the committee notifies the State Fire Marshal in writing that it is waiving its right to convene a meeting or does not act on a proposed code or a resubmitted proposed code, as the case may be, within such forty-five-day period, the proposed code or resubmitted proposed code shall be deemed to be approved by the committee.

(g) If the committee disapproves a proposed code, in whole or in part, the committee shall notify the State Fire Marshal of the disapproval and the reasons for the disapproval. The State Fire Marshal shall not take any action to implement such disapproved code, except that the State Fire Marshal may submit a substantively new proposed code in accordance with the provisions of this section, provided the General Assembly may reverse such disapproval in accordance with the provisions of section 4-171.

(h) If the committee rejects a proposed code without prejudice, in whole or in part, the committee shall notify the State Fire Marshal of the reasons for the rejection and the State Fire Marshal shall resubmit the proposed code in revised form to the committee not later than thirty days after the date of rejection without prejudice. Each resubmission of the proposed code under this subsection shall include a summary of any revisions to the proposed code. The committee shall have not more than forty-five days after the receipt of the resubmittal to review and take action on such resubmitted proposed code in the same manner as provided in subsection (f) of this section.

(i) The Fire Safety Code or any amendment thereto approved or deemed approved by the committee pursuant to subsection (f) of this section is effective and enforceable

against any person or party upon its posting on the Internet web site of the Department of Administrative Services, except that: (1) If a later date is required by statute or specified in the code, the later date is the effective date, and (2) a code may not be effective before the effective date of the public act requiring or permitting the code. Such posting shall include a statement by the State Fire Marshal certifying that the electronic copy of the code is a true and accurate copy of the code approved or deemed approved in accordance with subsection (f) of this section. The electronic copy of the Fire Safety Code posted on the Internet web site of the Department of Administrative Services shall be the official version for all purposes, including all legal and administrative proceedings.

(j) No provision of the Fire Safety Code or any amendment thereto adopted after May 31, 2016, is valid unless adopted in substantial compliance with the requirements of this section. A proceeding to contest any provision of the code on the ground of noncompliance with the requirements of this section shall be commenced within two years from the effective date of the code.

(k) The State Fire Marshal shall advise the public concerning how to obtain a copy of the Fire Safety Code and any amendments thereto.

be accompanied by evidence of licensure, if applicable, in accordance with section 20-304a of the Connecticut General Statutes, as a professional engineer licensed in accordance with chapter 391 of the Connecticut General Statutes.

(Add) **106.2.5 Building permit approval.** The *fire code official* shall provide to the *building official* certification in writing prior to the issuance of a building *permit* that the *construction documents* for any *building*, structure or use subject to the requirements of this code are in substantial compliance with the requirements of this code. Because of the 30-day time limit imposed by section 29-263 of the Connecticut General Statutes, the *fire code official* shall notify the *building official* whether there is substantial compliance within that time period.

SECTION 107 TEMPORARY STRUCTURES, USES, EQUIPMENT AND SYSTEMS

(Amd) **107.1 General.** The *fire code official* is authorized to issue a *permit* for temporary structures, uses, equipment or systems as required in Section ~~105.5~~ 105.5. Such *permits* shall be limited as to time of service, but shall not be permitted for more than 180 days. The *fire code official* is authorized to grant extensions for demonstrated cause.

(Del) **107.3 Temporary service utilities.** Delete section.

SECTION 108 FEES

(Del) **108.3 Permit valuations.** Delete section.

(Del) **108.4 Work commencing before permit issuance.** Delete section.

(Del) **108.5 Related fees.** Delete section.

SECTION 109 INSPECTIONS

(Amd) **109.1 Inspection authority.** Each *fire code official* or their respective designees, shall conduct inspections as prescribed in section 29-305 of the Connecticut General Statutes, of *buildings* and facilities regulated by this code within their jurisdictions. Each *fire code official* or their respective designees, may conduct inspections as often as may be necessary during the construction of new *buildings*, structures or additions, or processes, and during the course of renovations, *alterations* or modernizations for the purpose of satisfying themselves that all work is in accordance with the *approved* plans, specifications and this code.

S103.2.2 [R302.3.2] Fire-resistance rating. Vertical and horizontal assemblies separating *dwelling units* shall have a *fire-resistance rating* of 1-hour, or a fire-resistance rating of one-half hour in *buildings* equipped throughout with an *automatic sprinkler system* installed in accordance with Section 903.3.1 of this code. *Fire-resistance ratings* shall be based on testing in accordance with ASTM E119 or UL 263, or an analytical method in accordance with Section 703.2.2 of the *International Building Code* portion of the Connecticut State Building Code.

S103.2.3 [R302.3.3] Continuity. Vertical and horizontal assemblies separating *dwelling units* shall be constructed in a manner that provides continuity of the *fire-resistance rating* between the *dwelling units*.

S103.2.3.1 [R302.3.3.1] Horizontal assemblies. Horizontal assemblies separating *dwelling units* shall extend to and be tight against exterior walls or vertical separation assemblies complying with Section S103.2.2 of this appendix.

S103.2.3.2 [R302.3.3.2] Vertical assemblies. Vertical assemblies separating *dwelling units* shall extend to and be tight against any combination of the following:

1. The foundation.
2. A horizontal assembly complying with Section S103.2.3 of this appendix.
3. The underside of roof sheathing.
4. The ceiling beneath an uninhabitable *attic*, provided that the ceiling is constructed using not less than $5/8$ -inch (15.9 mm) *Type X gypsum board*, an *attic draft stop* constructed as specified in Section 708.4.3 of the *International Building Code* portion of the Connecticut State Building Code is provided above and along the vertical assembly terminating at the ceiling, and the structural framing supporting the ceiling is protected by not less than $1/2$ -inch (12.7 mm) gypsum board or equivalent.

S103.2.4 [R302.3.4] Supporting construction. Vertical and horizontal assemblies separating *dwelling units* shall be supported by construction having an equal or greater *fire-resistance rating*.

S103.2.5 [R302.3.5] Vertically stacked dwelling units. Where a *dwelling unit* ^{is} in ^{three} ~~or four-family dwellings~~ ^{are} located above another *dwelling unit* and an *automatic sprinkler system* complying with NFPA 13 is not provided in, such *dwelling units*, ^{each} both of the following shall apply:

1. Horizontal and vertical assemblies separating the *dwelling units*, including an interior *stairway* serving as the *means of egress* for the upper *dwelling unit*, shall