

The Connecticut General Assembly

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Memorandum

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

From: Joseph Brennan-Riley, William F. O'Shea, Patrick Deegan, Jonathan Porzuc,
Kumi Sato and Shannon McCarthy

Date: December 16, 2025

Subject: Proposed 2026 Connecticut State Building Code

The 2026 Connecticut State Building Code was submitted on November 25, 2025 under section 29-252b of the general statutes, which permits the State Building Inspector and Codes and Standards Committee within the Department of Administrative Services to use a process for its adoption that is different than the process required for the adoption of regulations under chapter 54 of the general statutes, the Uniform Administrative Procedure Act.

Attached are the pages noted in the table below from the proposed 2026 Connecticut State Building Code. You will find handwritten comments on the pages of the proposed code referenced that make recommendations for corrections or seek further clarification. In addition, substantive concerns are noted below.

Substantive Concerns:

1. On page 67, Section 2701.2 concerns minimum broadband infrastructure required for "new buildings", excluding detached one-family and two-family dwellings and townhouses, and on page 105, Section 903.5 concerns minimum broadband infrastructure required for level 3 alterations of "all buildings", excluding detached one-family and two-family dwellings and townhouses. These sections are pursuant to section 16-330f of the general statutes, which requires such broadband standards to be

added to the State Building Code for "new construction or major alterations of a commercial or multifamily building". "Commercial or multifamily building" is not defined for purposes of the statute, but the plain language meaning of the terms are clearly more limited categories than all buildings other than one-family and two-family dwellings and townhouses. Conceivably these new requirements would apply to the new construction or alteration of a barn or school, for example, which could go beyond what the underlying statute authorized. These sections should be amended to comport with the categories authorized by the statute.

2. On page 112, in the first two lines, "public swimming pool" is defined as a "pool, other than a residential pool, as defined in section 19-13-B33b(a)(1) of the Regulations of Connecticut State Agencies". But said regulatory section does not define "pool" or "residential pool". Section 19-13-B33b(a) of the Regulations of Connecticut State Agencies does, however, contain various definitions of other types of pools and it is unclear which of the defined types of pools are intended to be included in the definition, or if all are to be included. This reference should be clarified.

3. On page 129, in section C402.1.1.1, in item 3, it is unclear what "non-purchased renewable energy sources" is including or excluding. For example, "on-site wind, on-site water or on-site solar power" may include equipment owned by a third party that provides energy to the building and is purchased pursuant to a power purchase agreement. The reference should be clarified.

Additional Comments:

LCO Comments/Corrections	Page Numbers of the Code
Capitalization	6, 65, 98, 105, 115, 136
Formatting issues	7, 10, 21, 22-24, 26-31, 33, 34, 36, 38, 39, 41, 48, 49, 56, 58, 59, 62, 64, 71, 73, 74, 76, 78, 81, 89, 92, 93, 96-99, 100-112, 114-116, 119, 122, 126, 130, 136-138, 142, 150, 154, 161, 164, 165, 170, 173-178, 180-182, 185-188, 190, 194-199
Additional technical corrections	3-7, 10, 11-15, 17, 18, 21, 22, 24-26, 33-40, 42, 47-50, 52, 54, 55, 59, 60, 66-70, 73-75, 77, 78, 81, 88, 91, 92, 94-98, 100-116, 119-122, 124, 125, 127-132, 136-138, 140-142, 145-151, 153-169, 172-177, 179-183, 185-192, 194, 195

Seek clarification	3, 6, 13-15, 18, 21, 28, 31, 37, 44, 53, 60, 66, 68, 69, 76, 77, 85, 100, 102, 104, 105, 108-110, 113, 119, 120, 130, 141-143, 145, 147, 156, 161, 165, 167, 169, 176, 180, 186, 192
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Note: Throughout the proposed code, defined terms are frequently, but not always, italicized. Each defined term appearing in the proposed code should be italicized, for consistency. We did point some instances of where terms should be italicized in the attached pages, but the agency should incorporate any that we missed into the proposed code.

Recommendation:

Approval in whole
with technical corrections
with deletions
with substitute pages

Disapproval in whole or in part

X Rejection without prejudice

Authorizing Statute:

Sec. 29-252b. Procedure for adoption and amendment of State Building Code. (a) For the purposes of this section, "proposed code" means a proposal by the State Building Inspector and the Codes and Standards Committee for a new State Building Code or for a change in, addition to or repeal of any provision of the State Building Code.

(b) Notwithstanding the provisions of chapter 54, the adoption of the State Building 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 State Building Code and any amendments thereto, the State Building Inspector 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 Building Inspector for advance notice of its 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 Building Inspector 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 Building Inspector 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 Building Inspector 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 Building Inspector 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 Building Inspector 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 Building Inspector of the disapproval and the reasons for the disapproval. The State Building Inspector shall not take any action to implement such disapproved code, except that the State Building Inspector 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 Building Inspector of the reasons for the rejection and the State Building Inspector 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 State Building 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 Building Inspector 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 State Building 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 State Building 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 Building Inspector shall advise the public concerning how to obtain a copy of the State Building Code and any amendments thereto.

Sec. 16-330f. State Building Code revisions. Minimum broadband Internet access service infrastructure requirements for new construction or major alterations of a commercial or multifamily building. The State Building Inspector and the Codes and Standards Committee shall, in accordance with section 29-252b, revise the State Building Code to include provisions requiring buildings that qualify as a new construction or a major alteration of a commercial or multifamily building to include a minimum infrastructure requirement to support broadband Internet access service. The State Building Inspector and the Codes and Standards Committee shall define such minimum infrastructure requirements in such revisions.

Sec. 19a-36. (Formerly Sec. 19-13). Public Health Code. Fees. Public pools. Wells: Use, replacement and mitigation. (a) The Commissioner of Public Health shall establish a Public Health Code and, from time to time, amend the same. The Public Health Code may provide for the preservation and improvement of the public health.

(1) Drainage and toilet systems to be installed in any house or building arranged or designed for human habitation, or field sanitation provided for agricultural workers or migratory farm laborers, shall conform to minimum requirements prescribed in said code.

(2) Said code may include regulations requiring toilets and handwashing facilities in large stores, as defined in such regulations, in shopping centers and in places dispensing food or drink

for consumption on the premises, for the use of patrons of such establishments, except that the provisions of such regulations shall not apply to such establishments constructed or altered pursuant to plans and specifications approved or building permits issued prior to October 1, 1977.

(3) Each regulation adopted by the Commissioner of Public Health shall state the date on which it shall take effect, and a copy of the regulation, signed by the Commissioner of Public Health, shall be filed in the office of the Secretary of the State and a copy sent by said commissioner to each director of health, and such regulation shall be published in such manner as the Commissioner of Public Health may determine.

(4) Any person who violates any provision of the Public Health Code shall be guilty of a class C misdemeanor.

(b) The Commissioner of Public Health shall charge the following fees for the following services: (1) Review of each small flow plan for subsurface sewage disposal, two hundred dollars; and (2) review of each large flow plan for subsurface sewage disposal, six hundred twenty-five dollars. The commissioner shall amend the regulations adopted pursuant to this section as necessary to implement the provisions of this subsection.

(c) (1) For purposes of this subsection, "public pool" means an artificial basin constructed of concrete, steel, fiberglass or other impervious material and equipped with a controlled water supply that is intended for recreational bathing, swimming, diving or therapeutic purposes and includes, but is not limited to, any related equipment, structure, area or enclosure intended for the use of any person using or staffing such pool. "Public pool" does not include an artificial basin provided with a controlled water supply that is intended for use at a single-family residence, except when such basin is used for commercial or business purposes at such residence.

(2) The Department of Public Health shall classify public pools into one of the following categories:

(A) Public swimming pool, which is a pool used or intended to be used for recreational bathing, swimming or water recreation activities;

(B) Public wading pool, which is a pool principally used or intended to be used for wading and recreational bathing by small children;

(C) Public spa, which is a pool used for recreational bathing in conjunction with a high-

velocity air system, a high-velocity water recirculation system, hot water, cold water, a mineral bath or any combination thereof;

(D) Public diving pool, which is a pool used solely for diving or the instruction and practicing of diving techniques; or

(E) Special purpose public pool, which is a pool used for a specialized purpose, including, but not limited to, a splash pad or spray park where the water is recirculated, water flume, pool used for scuba diving instruction, therapeutic pool, hydrotherapy pool or a pool used in an aquatics program for persons with disabilities. Special purpose public pool does not include a flotation vessel, which shall not be subject to review by the Department of Public Health. For purposes of this subparagraph, "flotation vessel" means a tank devoid of light and sound and containing salt water in which a person floats for purposes including, but not limited to, meditation, relaxation and alternative medicine.

(3) The commissioner shall charge the following fees for the following services: (A) Review of plans for a public pool, seven hundred fifty dollars; (B) review of a resubmitted plan for a public pool, two hundred fifty dollars; (C) initial inspection of a public pool, two hundred dollars; and (D) any subsequent inspection of a public pool, one hundred fifty dollars. The commissioner shall amend the regulations adopted pursuant to this section as necessary to implement the provisions of this subsection.

(4) Notwithstanding subsection (a) of this section, regulations governing the safety of public pools shall not require fences around (A) naturally formed ponds subsequently converted to public pool use, provided the converted ponds (i) retain sloping sides common to natural ponds, and (ii) are on property surrounded by a fence, or (B) a splash pad or spray park.

(d) The local director of health may authorize the use of an existing private well, consistent with all applicable sections of the regulations of Connecticut state agencies, the installation of a replacement well at a single-family residential premises on property whose boundary is located within two hundred feet of an approved community water supply system, measured along a street, alley or easement, where (1) a premises that is not connected to the public water supply may replace a well used for domestic purposes if water quality testing is performed at the time of the installation, and for at least every ten years thereafter, or for such time as requested by the local director of health, that demonstrates that the replacement well meets the water quality standards for private wells established in the Public Health Code, and provided there is no service to the premises by a public water supply, or (2) a premises served by a public water supply may utilize or replace an existing well or install a new well solely for irrigation purposes

or other outdoor water uses provided such well is permanently and physically separated from the internal plumbing system of the premises and a reduced pressure device is installed to protect against a cross connection with the public water supply. Upon a determination by the local director of health that an irrigation well creates an unacceptable risk of injury to the health or safety of persons using the water, to the general public, or to any public water supply, the local director of health may issue an order requiring the immediate implementation of mitigation measures, up to and including permanent abandonment of the well, in accordance with the provisions of the Connecticut Well Drilling Code adopted pursuant to section 25-128. In the event a cross connection with the public water system is found, the owner of the system may terminate service to the premises.