

The Connecticut General Assembly

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Memorandum

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

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

Date: December 16, 2025

Subject: Proposed 2026 Connecticut State Fire Safety Code

The **2026 Connecticut State Fire Safety Code** was submitted on December 2, 2025 under section 29-292a of the general statutes, which permits the State Fire Marshal and the 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 of the proposed **2026 Connecticut State Fire Safety Code**. There are handwritten comments on the pages of the proposed code referenced in the table below that make recommendations for corrections or seek further clarification.

In addition, substantive concerns, additional technical corrections and formatting issues are noted below.

Substantive Concerns:

1. On page 10, in Section 107.1, the proposed code specifies that permits for temporary structures, uses, equipment and systems, "shall be limited as to time of service, but shall not be permitted for more than 180 days." It is not clear what is meant by "time of service" and "permitted" in this context. If the intent is to indicate that permits shall expire at the fire code official's discretion, but not later than 180 days from issuance, this should be stated. If another meaning is contemplated, the language should be clarified to reflect such meaning.

Additionally, the proposed code indicates that the fire code official may grant extensions for "demonstrated cause." The proposed code is silent as to whether reference by a permit applicant to *any* condition or event resulting in the need for an extension would qualify as a demonstration of cause, or whether a determination of whether cause has been demonstrated is left to the discretion of the fire code official. Finally, the proposed code is silent as to the duration of permit extensions, and the number of extensions a permit applicant may seek. Although these provisions appear in the International Fire Code, they should be amended to provide guidance to the regulated community.

2. On page 97, in section 1104.27.1 (7.), the proposed code states, "Smoke detection shall be used in all spaces except where not appropriate due to environmental conditions." It is unclear what is meant by "environmental conditions", who assesses the presence of such conditions and whether, if such conditions are determined to be present, the local fire marshal must approve of any plan not to use smoke detectors in such spaces.

Additional Comments:

LCO Comments	Page Numbers
Technical corrections	1-15, 17-37, 39, 42-54, 56, 58-60, 62, 65-129, 131-153, 157-164
Seek clarification	2, 7, 12, 15, 19, 23, 25, 27, 35, 43, 51, 52, 59, 98, 107, 114, 120-122, 136, 137, 153, 158, 159

The following technical corrections and formatting issues were not noted in handwritten comments, but should be addressed and incorporated in the proposed code:

1. 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.
2. Chapter and section titles appear throughout the proposed code, but not consistently. For example, on page 8, "SECTION 105 PERMITS" appears, but on page 9, there is no reference to

"SECTION 106 CONSTRUCTION DOCUMENTS" prior to the insertion of the provisions of Section 106. Chapter and section titles should be inserted throughout the proposed regulation, for consistency. Alternatively, only those chapter and section titles that are being added or amended should appear, for consistency.

3. The phrase "of this code" should be inserted, where appropriate, throughout the proposed code, for accuracy. For example, on page 10, in Sections 106.2.2.1 and 106.2.2.2, "of this code" should be inserted after "Chapter 80".

4. There is not a consistently utilized format for numbers, particularly metric measurements, within the proposed code. See, e.g., Section 118.2, "1,524"; Section 304.3.5, "3048"; and Section 503.1.1, "45 720". Similarly, the format utilized for fractions is not consistent. See, e.g., Section S106.3.4.1, "8¼"; and Section 1011.5.2, Exception 5, "8-1/4". Numbers and fractions appearing in the proposed code should conform to a standard format, for consistency.

5. National Fire Protection Association standards are cited throughout the proposed code, and titles for the referenced standards are inconsistently included in such citations. Citations to National Fire Protection Association standards should be made uniform throughout the proposed code by either inserting titles where they do not appear, or removing titles that do appear, for consistency.

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. 29-292a. 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.