

Substitute House Bill No. 5180

Public Act No. 16-45

AN ACT CONCERNING CONCRETE FOUNDATIONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (NEW) (*Effective October 1, 2016*) Prior to the issuance of a certificate of occupancy for a new residential or commercial building for which a concrete foundation was installed on or after October 1, 2016, the applicant shall provide the building official with written documentation of the name of the individual or entity that supplied the concrete and the name of the individual or entity that installed the concrete. Copies of such documentation shall be maintained in the records of the office of the building official for not less than fifty years.

Sec. 2. (NEW) (*Effective from passage and applicable to assessment years commencing on or after October 1, 2016*) (a) Any owner of a residential building who has obtained a written evaluation from a professional engineer licensed pursuant to chapter 391 of the general statutes indicating that the foundation of such residential building was made with defective concrete may provide a copy of such evaluation to the assessor and request a reassessment of the residential building by the assessor. Not later than ninety days after receipt of a copy of such evaluation, or prior to the commencement of the assessment year next following, whichever is earlier, the assessor, member of the assessor's staff or person designated by the assessor shall inspect the residential building and adjust its assessment to reflect its current value. Such reassessment may be appealed pursuant to section 12-111 of the general statutes. Any reassessment under this section shall apply for five assessment years, notwithstanding the provisions of section 12-62 of the general statutes.

(b) An owner of a residential building that has obtained a reassessment pursuant to this section shall notify the assessor if the concrete foundation is repaired or replaced during the five assessment years for which the reassessment is effective. Such notification shall be made in writing within thirty days of the repair or replacement of the concrete foundation. Not later than ninety days after receipt of such notification, or prior to the commencement of the assessment year next following, whichever is earlier, the assessor, member of the assessor's staff or person designated by the assessor shall inspect the residential building and adjust its assessment to reflect its current value.

Sec. 3. (*Effective July 1, 2016*) Not later than January 1, 2017, the Commissioner of Consumer Protection, after consulting with the Attorney General, shall submit a report, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters relating to planning and zoning, on the potential cause or causes of failing concrete foundations. Not later than January 1, 2017, the Commissioner of Consumer Protection shall post such report on the Department of Consumer Protection's Internet web site.

Sec. 4. (NEW) (*Effective from passage*) Any documentation provided to or obtained by an executive branch agency, including documentation provided or obtained prior to the effective date of this section, relating to claims of faulty or failing concrete foundations in residential buildings by the owners of such residential buildings, and documents prepared by an executive branch agency relating to such documentation, shall be maintained as confidential by such agency for not less than

seven years after the date of receipt of the documentation or seven years after the effective date of this section, whichever is later.

Sec. 5. Subsection (b) of section 1-210 of the 2016 supplement to the general statutes is amended by adding subdivision (28) as follows (*Effective from passage*):

(NEW) (28) Any documentation provided to or obtained by an executive branch agency, including documentation provided or obtained prior to the effective date of this section, relating to claims of faulty or failing concrete foundations in residential buildings by the owners of such residential buildings, and documents prepared by an executive branch agency relating to such documentation, for seven years after the date of receipt of the documentation or seven years after the effective date of this section, whichever is later.