



General Assembly

February Session, 2006

**Raised Bill No.**

424

LCO No. 2118



Referred to Committee on

Introduced by: **INSURANCE & REAL ESTATE**  
(INS)

**AN ACT ENSURING BUILDING CODE COMPLIANCE OF SWIMMING  
POOLS ON RESIDENTIAL PROPERTIES.**

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

1 Section 1. Section 38a-689 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2006*):

3 (a) Each insurance company [which] that issues homeowners  
4 insurance policies in this state shall file with the Insurance  
5 Commissioner the rules and regulations, or any modifications of such  
6 rules and regulations, used by such company to determine whether or  
7 not to underwrite such policies.

8 (b) Such rules and regulations, or modification of such rules and  
9 regulations, shall be on file with the commissioner for a waiting period  
10 of thirty days before they become effective. The commissioner may  
11 extend the waiting period for an additional extension period not to  
12 exceed thirty days if the commissioner gives the insurance company  
13 that made the filing written notice within the waiting period. The  
14 written notice shall indicate that the commissioner needs additional  
15 time to consider the filing. Upon written application by such insurance

16 company, the commissioner may authorize a filing that the  
 17 commissioner has reviewed to become effective before the expiration  
 18 of the waiting period or any extension period. A filing shall be deemed  
 19 approved unless disapproved by the commissioner within the waiting  
 20 period or any extension period. If, within the waiting period or any  
 21 extension period, the commissioner disapproves the filing, the  
 22 commissioner shall send the insurance company that made such filing  
 23 written notice of disapproval, specifying the reasons for disapproval,  
 24 and stating that such filing shall not become effective. Such finding of  
 25 the commissioner shall be subject to review as provided in section 38a-  
 26 19.

27 (c) Each insurance company that issues homeowners insurance  
 28 policies in this state shall modify such rules and regulations in  
 29 accordance with this section to require homeowners who have a  
 30 swimming pool located on their residential property, at the time of  
 31 every other renewal of such policies, to submit a statement from the  
 32 local building official to such company verifying that such swimming  
 33 pool complies with the provisions of the State Building Code and any  
 34 other applicable building code.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2006	38a-689
-----------	-----------------	---------

**Statement of Purpose:**

To ensure that swimming pools located on residential property comply with the provisions of the State Building Code and other applicable local codes.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*