

NAHB | House Bill (HB) 5401 Connecticut | Bill Analysis

[Connecticut House Bill 5401 \(HB 5401\)](#) broadly pauses new building code adoption until the 2030 code cycle, as well as reforms other code cycle procedures and timeframes.

BACKGROUND

Building codes across the U.S. are a mix of the model residential code published every three years, the International Building Code (IBC), and amendments that certain local jurisdictions wish to enact. The goals of the IBC are to provide standard regulations in residential construction that protect public safety. However, complying with these standards, especially with frequent changes, can be cumbersome and costly. According to the National Association of Home Builders (NAHB), complying with regulations at the local, state and federal levels contributes \$131,724 to the cost of a new single-family home, including \$84,939 incurred by the builder due to regulation during the construction phase of the home.

As the nation's housing supply remains constrained, many states are examining methods to lower the regulatory burden of home building, which, ultimately, should lower costs for consumers.¹ A solution states are exploring is code adoption freezes, with California providing the most high-profile example by freezing all residential home building code adoption until 2031.²

THIS BILL:

HB 5401 makes several procedural reforms to the state residential code adoption process.

- The deadline for updating the State Building Code to reflect the national model code and the Fire Safety Code is extended from 18 months to two years. (six-month extension).
- When adopting amendments to the building code, state officials must consider the affordability of the proposed amendments and the ability for homes to be made at reasonable cost.
- It implements a pause on code updates from the 2024 cycle to the 2030 cycle (six-year code freeze).

¹ [Regulatory Costs Jump 40% in Five Years, Add \\$131,734 to New Home Prices | NAHB](#)

² [California Tackles Housing Costs with Building Code Freeze, Permitting Reforms | NAHB](#)

- The State Fire Code's 18-month revision requirement is extended to two years (six-month extension).
- Legislature requires the Commissioner of Administrative Services to draft a report on the effects of longer code-update cycles and recommend further changes.

ARGUMENTS in SUPPORT

Broadly, HB 5401 would help Connecticut create more attainable housing by reducing the regulatory pressures facing home builders. This matters because every \$1,000 increase in the cost of the median-priced new home further prices 300 Connecticut households out of the housing market.³ Unless reforms are enacted, the effects and costs of overregulation will only continue to grow and worsen housing affordability in the state.

By directing regulatory officials to consider the effect on code changes on affordability, it begins to broaden the focus of regulators to both strive for safety and affordability. Simultaneously, the code cycle freeze gives regulatory certainty to those projects in design and being contemplated. This bill recognizes that regulation has a rightful place in the market, but it also concedes that unnecessary regulation does and can exist. It is attempting to strike a new, even tone between what is the right thing to do and what is the economically possible thing to do.

ARGUMENTS in OPPOSITION

Opponents of this bill argue that residential building codes are updated regularly to lead to substantial safety improvement in the industry. Freezing and delaying the modernization of building and fire codes does nothing more than put people at risk unnecessarily. Additionally, Connecticut's housing supply issues will not be removed by delaying code revisions. Between the cost of land and labor and extended permitting timelines, the effects of new fire and building codes are relatively limited. Overall, this bill would have a limited effect on the market it seeks to help, while also preventing modernization.

³ Households Priced-Out by Higher House Prices and Interest Rates | NAHB

Similar Legislation or Enacted Laws:

[California – AB 130](#)

[Indiana – HB 1001](#)

[Rhode Island – Building Code Modernization Reforms](#)

Relevant Court Cases:

[Nollan v. California Coastal Commission - Housing Affordability Institute](#)

[Dolan v. City of Tigard - Housing Affordability Institute](#)

[Koontz v. St. Johns River Water Management District](#)

Potential Coalition Partners:

- Connecticut Business & Industry Association (CBIA)
- National Association of Realtors (NAR)
- Connecticut Association of Realtors (CAR)
- Associated Builders and Contractors (ABC)
- National Multifamily Housing Council (NMHC)
- National Apartment Association (NAA)
- Housing affordability advocacy organizations

Potential Opponents:

- International Code Council (ICC)
- Building Officials Association of Connecticut
- Connecticut Codes and Standards Committee members concerned about slowing code adoption
- Fire safety advocacy organizations
- State and local fire marshals
- Structural engineering associations
- Energy-efficiency and green-building advocacy groups
- Environmental organizations concerned about delaying energy code updates
- Public health and resiliency advocates