

PROPOSED AMENDMENT

HB 1104 # 8

DIGEST

School building protective door assemblies. Requires each school corporation or school to annually inspect each protective door assembly in each school building that is being used to provide instruction to students. Provides that the inspection must: (1) be performed by a qualified inspector; (2) verify whether each particular protective door assembly meets certain operational standards; and (3) include a report to the school corporation or school with the results of the inspection. Provides that if a protective door assembly is determined to not be in compliance with operational standards, the school corporation or school shall remedy the noncompliant protective door assembly within 180 days of the date of the inspection and submit a subsequent inspection report to the department of homeland security (department) verifying that the protective door assembly meets the operational standards. Provides that if the department determines that a school corporation or school has not remedied a noncompliant protective door assembly within 18 months from the date of the inspection report that initially found that the protective door assembly is noncompliant with operational standards, the department may assess a noncompliance fee of \$1,000 for each protective door assembly that is not in compliance. Provides that the department shall deposit a noncompliance fee in the Indiana secured school fund. Requires the department to adopt administrative rules.

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- 1 Page 6, between lines 10 and 11, begin a new paragraph and insert:
2 "SECTION 5. IC 20-34-10 IS ADDED TO THE INDIANA CODE
3 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2024]:
5 **Chapter 10. Inspection of Protective Door Assemblies**
6 **Sec. 1. This chapter applies to the following:**
7 **(1) School corporations.**
8 **(2) Charter schools.**
9 **(3) State accredited nonpublic schools.**
10 **Sec. 2. As used in this chapter, "protective door assembly"**
11 **means any of the following:**
12 **(1) Doors with panic hardware or fire exit hardware.**
13 **(2) Door assemblies in exit enclosures.**
14 **(3) Electricity controlled egress doors.**
15 **(4) Door assemblies with special locking arrangements,**
16 **including:**
17 **(A) delayed egress doors;**
18 **(B) sensor release egress doors; or**

1 (C) elevator lobby doors.

2 **Sec. 3. As used in this chapter, "qualified inspector" means a**
3 **person who:**

4 (1) possesses:

5 (A) a recognized degree;

6 (B) a certificate;

7 (C) professional standing; or

8 (D) skill; and

9 (2) by knowledge, training, or experience has demonstrated
10 the ability to deal with the subject matter, work, or project
11 related to the repair, installation, or replacement of a
12 protective door assembly.

13 **Sec. 4. (a) Each school corporation or school shall annually**
14 **inspect each protective door assembly in each school building that**
15 **is currently being used to provide instruction to students.**

16 (b) The inspection described in subsection (a) must:

17 (1) be performed by a qualified inspector;

18 (2) verify whether each particular protective door assembly
19 meets operational standards described in the National Fire
20 Protection Association (NFPA) 80, Standard for Fire Doors
21 and Other Opening Protectives, 2022 edition; and

22 (3) include a report to the school corporation or school with
23 the results of the inspection that is provided in the manner
24 described in section 5 of this chapter.

25 (c) Notwithstanding subsection (b)(2), a school corporation or
26 school may secure a protective door assembly with a temporary
27 door-locking device approved by the state fire marshal in a manner
28 prescribed by the state fire marshal.

29 **Sec. 5. (a) The inspection report described in section 4(b)(3) of**
30 **this chapter must indicate either of the following:**

31 (1) That the protective door assembly is in compliance with
32 operational standards described in the National Fire
33 Protection Association (NFPA) 80, Standard for Fire Doors
34 and Other Opening Protectives, 2022 edition.

35 (2) That the protective door assembly is not in compliance
36 with operational standards described in the National Fire
37 Protection Association (NFPA) 80, Standard for Fire Doors
38 and Other Opening Protectives, 2022 edition, and that a
39 follow-up inspection is required in the manner prescribed in
40 section 6 of this chapter.

1 (b) The inspection report is confidential in accordance with
2 IC 5-14-3-4.

3 (c) A copy of the inspection report shall be submitted to the
4 department of homeland security in a manner prescribed by the
5 department of homeland security.

6 Sec. 6. (a) If a protective door assembly is determined to not be
7 in compliance with operational standards under section 4 of this
8 chapter, the school corporation or school shall remedy the
9 noncompliant protective door assembly within one hundred eighty
10 (180) days of the date of the inspection described in section 4 of this
11 chapter. In addition, a school corporation or school shall submit a
12 subsequent inspection report to the department of homeland
13 security verifying that the protective door assembly meets the
14 operational standards described in section 4 of this chapter.

15 (b) If a school corporation or school is unable to remedy the
16 noncompliant protective door assembly within the time frame
17 described in subsection (a), the school corporation or school may
18 submit a waiver request to the department of homeland security in
19 a manner prescribed by the department of homeland security. The
20 department of homeland security, in a manner prescribed by the
21 department of homeland security, may grant a temporary waiver
22 if the school corporation or school demonstrates good cause as to
23 why the noncompliant protective door assembly cannot be
24 remedied within the time frame described in subsection (a).

25 Sec. 7. If the department of homeland security determines that
26 a school corporation or school has not remedied a noncompliant
27 protective door assembly within eighteen (18) months from the
28 date of the inspection report that initially found that the protective
29 door assembly was noncompliant with operational standards under
30 section 4 of this chapter, the department of homeland security may
31 assess a noncompliance fee of one thousand dollars (\$1,000) for
32 each protective door assembly that is not in compliance. The
33 department of homeland security shall deposit a noncompliance fee
34 collected under this section in the Indiana secured school fund
35 established by IC 10-21-1-2.

36 Sec. 8. The department of homeland security shall adopt rules
37 under IC 4-22-2 necessary to administer this chapter."

(Reference is to HB 1104 as printed January 25, 2024.)