

First Regular Session of the 120th General Assembly (2017)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2016 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1023

AN ACT to amend the Indiana Code concerning public safety.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 13-25-2-10.4, AS ADDED BY P.L.85-2015, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 10.4. (a) **Except as provided in subsection (c)**, each year, a fee is imposed on a facility that must submit an emergency and hazardous chemical inventory form under section 10 of this chapter. The amount of the fee is as follows:

(1) For a facility in which at least one million (1,000,000) pounds of any hazardous chemical was present at one (1) time during the year preceding the year in which the fee is imposed, a fee of two hundred dollars (\$200).

(2) For a facility in which, in the year preceding the year in which the fee is imposed, one (1) or more hazardous chemicals were present in amounts exceeding the threshold quantities established under 42 U.S.C. 11022(b), but the total amount of any hazardous chemical present did not at any one (1) time equal or exceed one million (1,000,000) pounds, a fee of one hundred dollars (\$100).

(3) For a facility that contains underground storage tanks (as defined in IC 13-11-2-241) and was subject to the reporting requirement in 42 U.S.C. 6991a(a), but in which, in the year preceding the year in which the fee is imposed, no hazardous chemicals were present in amounts exceeding the threshold quantities established under 42 U.S.C. 11022(b) (other than

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substances stored in underground storage tanks that must be reported under 42 U.S.C. 6991a(a)), a fee of fifty dollars (\$50).

(b) A facility subject to the fee imposed by this section shall pay this fee as required by section 10 of this chapter.

(c) The fee established by this section is not applicable to a facility that is owned or operated by any of the following:

(1) The United States government or an agency or instrumentality of the United States government.

(2) The state and its agencies.

(3) A state educational institution as defined in IC 21-7-13-32.

(4) A political subdivision as defined in IC 36-1-2-13.

SECTION 2. IC 36-8-10.5-7, AS AMENDED BY P.L.78-2013, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 7. (a) The education board shall adopt rules under IC 4-22-2 establishing minimum basic training requirements for full-time firefighters and volunteer firefighters, subject to subsection (b) and section 7.5 of this chapter. The requirements must include training in the following areas:

- (1) Orientation.
- (2) Personal safety.
- (3) Forcible entry.
- (4) Ventilation.
- (5) Apparatus.
- (6) Ladders.
- (7) Self-contained breathing apparatus.
- (8) Hose loads.
- (9) Streams.
- (10) Basic recognition of special hazards.

(b) A person who fulfills the certification requirements for:

- (1) Firefighter I, as described in 655 IAC 1-2.1-4; or
- (2) Firefighter II, as described in 655 IAC 1-2.1-5;

is considered to comply with the requirements established under subsection (a).

(c) In addition to the requirements of subsections (a) and (d), the minimum basic training requirements for full-time firefighters and volunteer firefighters must include successful completion of a basic or inservice course of education and training on sudden infant death syndrome that is certified by the Indiana emergency medical services commission (created under IC 16-31-2-1) in conjunction with the state health commissioner.

(d) In addition to the requirements of subsections (a) and (c), the minimum basic training requirements for full-time and volunteer

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firefighters must include successful completion of an instruction course on vehicle emergency response driving safety. The education board shall adopt rules under IC 4-22-2 to operate this course.

(e) In addition to the requirements of subsections (a), (c), and (d), the minimum basic training requirements for full-time and volunteer firefighters must include successful completion of a basic or inservice course of education and training in interacting with individuals with autism that is certified by the Indiana emergency medical services commission (created under IC 16-31-2-1).

(f) The education board may adopt emergency rules in the manner provided under IC 4-22-2-37.1 concerning the adoption of the most current edition of the following National Fire Protection Association standards, subject to amendment by the board:

- (1) NFPA 472.
- (2) NFPA 1001.
- (3) NFPA 1002.
- (4) NFPA 1003.
- (5) NFPA 1006.**
- ~~(5)~~ **(6)** NFPA 1021.
- ~~(6)~~ **(7)** NFPA 1031.
- ~~(7)~~ **(8)** NFPA 1033.
- ~~(8)~~ **(9)** NFPA 1035.
- ~~(9)~~ **(10)** NFPA 1041.
- ~~(10)~~ **(11)** NFPA 1521.
- ~~(11)~~ **(12)** NFPA 1670.

(g) Notwithstanding any provision in IC 4-22-2-37.1 to the contrary, an emergency rule described in subsection (f) expires on the earlier of the following dates:

- (1) Two (2) years after the date on which the emergency rule is accepted for filing with the publisher of the Indiana Register.
- (2) The date a permanent rule is adopted under this chapter.

(h) At least sixty (60) days before the education board adopts an emergency rule under subsection (f), the education board shall:

- (1) notify the public of its intention to adopt an emergency rule by publishing a notice of intent to adopt an emergency rule in the Indiana Register; and
- (2) provide a period for public hearing and comment for the proposed rule.

The publication notice described in subdivision (1) must include an overview of the intent and scope of the proposed emergency rule and the statutory authority for the rule.

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Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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