



January 28, 2020

HOUSE BILL No. 1174

DIGEST OF HB 1174 (Updated January 28, 2020 12:52 pm - DI 131)

Citations Affected: IC 10-19; IC 22-14.

Synopsis: Youth helmet safety. Provides that: (1) the executive director of the department of homeland security with assistance from the state emergency medical services medical director; and (2) the state fire marshal; shall partner with state agencies, including the state department of health and state educational institutions, to develop public safety education and outreach programs. Provides that the fire prevention and public safety fund may be used to support: (1) fire safety and prevention programs; and (2) public safety education and outreach programs, including, but not limited to, youth helmet safety.

Effective: July 1, 2020.

Frye R, Barrett, Fleming

January 8, 2020, read first time and referred to Committee on Veterans Affairs and Public Safety.
January 28, 2020, amended, reported — Do Pass.

HB 1174—LS 6861/DI 131



January 28, 2020

Second Regular Session of the 121st General Assembly (2020)

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 2019 Regular Session of the General Assembly.

HOUSE BILL No. 1174

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

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

- 1 SECTION 1. IC 10-19-3-3, AS AMENDED BY P.L.27-2010,
2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2020]: Sec. 3. The executive director shall do the following:
4 (1) Serve as the chief executive and administrative officer of the
5 department.
6 (2) Serve as the director of the council.
7 (3) Administer the application for, and disbursement of, federal
8 and state homeland security money for all Indiana state and local
9 governments.
10 (4) Develop a single strategic plan for preparing and responding
11 to homeland security emergencies in consultation with the
12 council.
13 (5) Serve as the state coordinating officer under federal law for all
14 matters relating to emergency and disaster mitigation,
15 preparedness, response, and recovery.

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1 (6) Use and allocate the services, facilities, equipment, personnel,
 2 and resources of any state agency, on the governor's behalf, as is
 3 reasonably necessary in the preparation for, response to, or
 4 recovery from an emergency or disaster situation that threatens or
 5 has occurred in Indiana.

6 (7) Develop a plan to protect key state assets and public
 7 infrastructure from a disaster or terrorist attack.

8 **(8) Partner with state agencies, including the state department
 9 of health and state educational institutions, to develop public
 10 safety education and outreach programs.**

11 SECTION 2. IC 10-19-7-3, AS AMENDED BY P.L.218-2014,
 12 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2020]: Sec. 3. (a) The state fire marshal appointed under
 14 IC 22-14-2-2 shall do the following:

15 (1) Serve as a deputy executive director to manage the division.

16 (2) Administer the division.

17 (3) Provide staff to support the fire prevention and building safety
 18 commission established by IC 22-12-2-1.

19 **(4) Partner with state agencies, including the state department
 20 of health and state educational institutions, to develop public
 21 safety education and outreach programs.**

22 (b) The state fire marshal may not exercise any powers or perform
 23 any duties specifically assigned to either of the following:

24 (1) The fire prevention and building safety commission.

25 (2) The state building commissioner.

26 (c) The state fire marshal may delegate the state fire marshal's
 27 authority to the appropriate division staff.

28 SECTION 3. IC 10-19-7-5, AS ADDED BY P.L.188-2014,
 29 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2020]: Sec. 5. (a) For purposes of this section, "EMS" means
 31 emergency medical services.

32 (b) For purposes of this section, "state EMS medical director" refers
 33 to the state emergency medical services medical director appointed
 34 under subsection (c).

35 (c) The executive director shall appoint an individual to serve as the
 36 state emergency medical services medical director. The individual must
 37 have the following qualifications:

38 (1) Thorough knowledge of state EMS laws and administrative
 39 rules and regulations.

40 (2) At least five (5) years experience in the following:

41 (A) Medical direction of out of hospital EMS.

42 (B) Emergency department treatment of acutely ill and injured



- 1 patients.
- 2 (3) Significant experience and familiarity with the following:
- 3 (A) The design and operation of statewide EMS systems.
- 4 (B) Working with national and other state EMS committees.
- 5 (4) At the time of the individual's appointment, has a valid and
- 6 unrestricted license to practice medicine in Indiana.
- 7 (5) Be certified by the American Board of Emergency Medicine.
- 8 (6) Other areas of knowledge and expertise that the executive
- 9 director determines essential.
- 10 The state EMS medical director shall be an employee of the
- 11 department.
- 12 (d) The executive director shall submit the name of the individual
- 13 whom the executive director would like to appoint as state EMS
- 14 medical director to the Indiana emergency medical services
- 15 commission created by IC 16-31-2-1. The commission may, by a
- 16 majority of the members, vote not later than thirty (30) days after the
- 17 submission on whether to approve the appointment. If the commission:
- 18 (1) does not take any action; or
- 19 (2) by a majority of the commission votes to approve the
- 20 appointment of the individual;
- 21 not later than thirty (30) days after, the appointment shall become
- 22 effective. If a majority of the commission votes not later than thirty (30)
- 23 days after the submission of the appointment to not approve the
- 24 appointment, the executive director shall restart the appointment
- 25 process and submit an alternative individual for appointment.
- 26 (e) The state EMS medical director shall oversee all pre-hospital
- 27 aspects of the statewide EMS system, including the following:
- 28 (1) Medical components for systems of care that interface or
- 29 integrate with the statewide EMS system, including the following:
- 30 (A) Statewide planning for trauma, burn, cardiac, and stroke
- 31 care.
- 32 (B) Domestic preparedness.
- 33 (C) EMS for children.
- 34 (2) For all levels of emergency responders, establishment of the
- 35 following:
- 36 (A) Statewide model guidelines and best practices for all
- 37 patient care activities to ensure delivery of medical care
- 38 consistent with professionally recognized standards.
- 39 (B) A statewide EMS continuous quality improvement
- 40 program.
- 41 (C) A statewide EMS advocacy program.
- 42 (3) In cooperation with appropriate state and local agencies,



- 1 training and certification of all EMS providers.
- 2 (f) The state EMS medical director shall assist the executive director
- 3 on all issues related to statewide EMS, including the following:
- 4 (1) Consulting with EMS medical directors.
- 5 (2) In consultation with the Indiana emergency medical services
- 6 commission created by IC 16-31-2-1, providing guidance and
- 7 assistance on the following matters:
- 8 (A) Scope of practice for EMS providers.
- 9 (B) Restrictions placed on EMS certifications.
- 10 (C) Appropriate corrective and disciplinary actions for EMS
- 11 personnel.
- 12 (D) Education and training on emerging issues in EMS.
- 13 (3) EMS system research.
- 14 (4) Coordination of all medical activities for disaster planning and
- 15 response.
- 16 (5) Improving quality of care, research, and injury prevention
- 17 programs.
- 18 **(6) Partnering with state agencies, including the state**
- 19 **department of health and state educational institutions, to**
- 20 **develop public safety education and outreach programs.**
- 21 SECTION 4. IC 22-14-7-27, AS ADDED BY P.L.82-2008,
- 22 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 23 JULY 1, 2020]: Sec. 27. (a) The fire prevention and public safety fund
- 24 is established. The fund shall be administered by the state fire marshal.
- 25 Money in the fund may be used to support:
- 26 **(1) fire safety and prevention programs; and**
- 27 **(2) public safety education and outreach programs, including,**
- 28 **but not limited to, youth helmet safety.**
- 29 (b) The expenses of administering the fund shall be paid from
- 30 money in the fund.
- 31 (c) The treasurer of state shall invest money in the fund not
- 32 currently needed to meet the obligations of the fund in the same
- 33 manner as other public money may be invested.
- 34 (d) The fund consists of:
- 35 (1) penalties recovered under section 24 of this chapter; and
- 36 (2) grants, gifts, and donations intended for deposit in the fund.
- 37 (e) The money in the fund at the end of the state fiscal year does not
- 38 revert to the state general fund.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1174, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill do pass.

(Reference is to HB 1174 as introduced.)

FRYE R

Committee Vote: yeas 12, nays 0.

