

## SENATE BILL No. 33

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 22-13-2-11.5.

**Synopsis:** Adoption of National Electric Code. Requires the fire prevention and building safety commission to adopt by rules the most recent edition, including addenda, of the NFPA 70 (National Electric Code) and to adopt any subsequent edition of the NFPA 70, including addenda, within 18 months after the effective date of the subsequent edition.

**Effective:** Upon passage.

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## Kruse

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January 3, 2017, read first time and referred to Committee on Homeland Security and Transportation.

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First Regular Session 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.

## SENATE BILL No. 33

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

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

1 SECTION 1. IC 22-13-2-11.5, AS ADDED BY P.L.107-2014,  
2 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 UPON PASSAGE]: Sec. 11.5. (a) As used in this section:

4 **(1) "NFPA 70" refers to the National Electric Code, 2017**  
5 **Edition; and**

6 **(2) "NFPA 72" refers to NFPA 72, National Fire Alarm and**  
7 **Signaling Code, 2010 Edition;**  
8 published by the National Fire Protection Association, 1 Batterymarch  
9 Park, Quincy, Massachusetts 02169-7471.

10 (b) It is the intent of the general assembly that NFPA 72, as may be  
11 amended by the commission under subsection (c), be incorporated into  
12 the Indiana Administrative Code. Not later than July 1, 2014, the  
13 commission shall adopt rules under IC 4-22-2 to amend 675  
14 IAC 28-1-28 to incorporate NFPA 72 into the Indiana Administrative  
15 Code, subject to subsection (c)(1) and (c)(2). The commission may  
16 adopt emergency rules in the manner provided under IC 4-22-2-37.1 to  
17 comply with this subsection. An emergency rule adopted by the



1 commission under IC 4-22-2-37.1 to comply with this subsection  
 2 expires on the date a rule that supersedes the emergency rule is adopted  
 3 by the commission under IC 4-22-2-24 through IC 4-22-2-36.

4 (c) In adopting rules to incorporate NFPA 72 into the Indiana  
 5 Administrative Code, as required by subsection (b), the commission  
 6 may amend NFPA 72 as the commission considers appropriate.  
 7 However, the rules finally adopted by the commission to comply with  
 8 this section must do the following:

9 (1) Incorporate the definition of, and associated requirements for:

10 (A) a managed facilities-based voice network (MFVN); and

11 (B) a public switched telephone network (PSTN);

12 as set forth in NFPA 72.

13 (2) Allow digital alarm communicator systems that make use of  
 14 a managed facilities-based voice network (MFVN) to transmit  
 15 signals from a fire alarm system to an offsite monitoring facility,  
 16 subject to the requirements for those systems set forth in NFPA  
 17 72.

18 (d) If the commission does not comply with subsection (b), the  
 19 following apply on July 1, 2014:

20 (1) The definition of, and associated requirements for:

21 (A) a managed facilities-based voice network (MFVN); and

22 (B) a public switched telephone network (PSTN);

23 as set forth in NFPA 72, are considered incorporated into the  
 24 Indiana Administrative Code. Any provisions of 675 IAC 28-1-28  
 25 (or any rules adopted by a state agency, or any ordinances or other  
 26 regulations adopted by a political subdivision) that conflict with  
 27 the definitions and requirements described in this subdivision are  
 28 superseded by the definitions and requirements described in this  
 29 subdivision. This subdivision continues to apply until the  
 30 commission adopts rules that amend 675 IAC 28-1-28 to  
 31 incorporate NFPA 72 into the Indiana Administrative Code and  
 32 that comply with subsection (c)(1) and (c)(2).

33 (2) A person that after June 30, 2014, installs or uses a digital  
 34 alarm communicator system that:

35 (A) makes use of a managed facilities-based voice network  
 36 (MFVN) to transmit signals from a fire alarm system to an  
 37 offsite monitoring facility; and

38 (B) meets the requirements for such a system set forth in  
 39 NFPA 72;

40 is not required to obtain a variance from the commission under  
 41 section 11 of this chapter for the installation or use.

42 **(e) It is the intent of the general assembly that NFPA 70, as may**



1 be amended by the commission as the commission considers  
2 appropriate, be incorporated into the Indiana Administrative  
3 Code. Not later than July 1, 2017, the commission shall adopt rules  
4 under IC 4-22-2 to amend 675 IAC 28-1 to incorporate NFPA 70  
5 into the Indiana Administrative Code. The commission may adopt  
6 emergency rules in the manner provided under IC 4-22-2-37.1 to  
7 comply with this subsection. An emergency rule adopted by the  
8 commission under IC 4-22-2-37.1 to comply with this subsection  
9 expires on the date a rule that supersedes the emergency rule is  
10 adopted by the commission under IC 4-22-2-24 through  
11 IC 4-22-2-36.

12 (f) The commission shall adopt the subsequent edition of NFPA  
13 70, including addenda, to be adopted as provided under subsection  
14 (e), within eighteen (18) months after the effective date of the  
15 subsequent edition.

16 SECTION 2. An emergency is declared for this act.

