

SENATE BILL No. 277

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-8-17-8.

Synopsis: Fire inspections. Provides that an individual who conducts a fire inspection must be a firefighter who at the minimum meets the basic training requirements for a firefighter.

Effective: July 1, 2023.

Freeman

January 11, 2023, read first time and referred to Committee on Homeland Security and Transportation.



First Regular Session of the 123rd General Assembly (2023)

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 2022 Regular Session of the General Assembly.

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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 36-8-17-8, AS AMENDED BY P.L.187-2021,
2 SECTION 149, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2023]: Sec. 8. (a) A fire department serving an
4 area that does not include a city may engage in an inspection program
5 to promote compliance with fire safety laws. Upon the request of an
6 owner or a primary lessee who resides in a private dwelling, the fire
7 department may inspect the interior of the private dwelling to
8 determine compliance with IC 22-11-18-3.5. The fire department shall
9 maintain a written report for each inspection. These reports shall be
10 made available to the department upon request.

11 (b) The fire department serving an area that includes a city shall
12 inspect every place and public way within the jurisdiction of the city,
13 except the interiors of private dwellings, for compliance with the fire
14 safety laws. Upon the request of an owner or a primary lessee who
15 resides in a private dwelling, the fire department may inspect the
16 interior of the private dwelling to determine compliance with
17 IC 22-11-18-3.5. Except as otherwise provided in the rules adopted by



1 the commission, the fire chief of the fire department shall specify the
2 schedule under which places and public ways are inspected and may
3 exclude a class of places or public ways from inspection under this
4 section, if the fire chief determines that the public interest will be
5 served without inspection. The fire department shall maintain a written
6 report for each inspection. The fire department shall submit monthly
7 reports to the department, on forms prescribed by the department,
8 containing the following information:

9 (1) The total number of inspections made.

10 (2) The total number of defects found, classified as required by
11 the office.

12 (3) The total number of orders issued for correction of each class
13 of defect.

14 (4) The total number of orders complied with.

15 **(c) Except as provided in subsection (d), an inspection may only**
16 **be carried out by an individual who is a firefighter who meets, at**
17 **a minimum, the training requirements described in IC 36-8-10.5.**

18 ~~(c)~~ **(d)** A volunteer fire department may carry out inspections under
19 this section only through an individual who is certified under
20 IC 22-14-2-6(c).

