

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.

SENATE ENROLLED ACT No. 277

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 22-11-22 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]:

Chapter 22. Pet Fire Safety

Sec. 1. This chapter applies to a structure that after June 30, 2023, is:

- (1) constructed; or**
- (2) initially converted or remodeled;**

for use as an animal facility.

Sec. 2. As used in this chapter, "animal facility" means any of the following:

- (1) A pet store.**
- (2) A veterinary hospital.**
- (3) A commercial overnight boarding facility.**
- (4) An animal care facility (as defined in IC 6-9-39-1) that is operating without a private residential dwelling on the premises.**

Sec. 3. As used in this chapter, "commercial overnight boarding facility" means a business that houses dogs or cats overnight for a fee that is operating without a private residential dwelling on the premises.

Sec. 4. As used in this chapter, "fire alarm system" means a

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system that automatically sends notice of an alarm to a local fire or police department when the alarm is activated.

Sec. 5. As used in this chapter, "pet store" means a retailer that sells dogs or cats.

Sec. 6. An animal facility must have at least one (1) of the following:

(1) A fire alarm system that is:

(A) designed by a fire alarm technician; and

(B) in operating condition.

(2) Staff on duty at the animal facility any time a dog or cat is present on the premises.

Sec. 7. A fire department that has jurisdiction over an animal facility or the department of homeland security may periodically inspect the animal facility to determine compliance with this chapter.

Sec. 8. An individual conducting an inspection described in IC 36-8-17-8 of an animal facility under this chapter must meet the requirements described in IC 36-8-17-8(c).

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

(b) The fire department serving an area that includes a city shall inspect every place and public way within the jurisdiction of the city, except the interiors of private dwellings, for compliance with the fire safety laws. Upon the request of an owner or a primary lessee who resides in a private dwelling, the fire department may inspect the interior of the private dwelling to determine compliance with IC 22-11-18-3.5. Except as otherwise provided in the rules adopted by the commission, the fire chief of the fire department shall specify the schedule under which places and public ways are inspected and may exclude a class of places or public ways from inspection under this section, if the fire chief determines that the public interest will be served without inspection. The fire department shall maintain a written report for each inspection. The fire department shall submit monthly reports to the department, on forms prescribed by the department,



containing the following information:

- (1) The total number of inspections made.
- (2) The total number of defects found, classified as required by the office.
- (3) The total number of orders issued for correction of each class of defect.
- (4) The total number of orders complied with.

(c) Except as provided in subsection (d), an inspection may only be carried out by an individual who:

(1) is a firefighter who meets, at a minimum, the training requirements described in IC 36-8-10.5; or

(2) has:

(A) obtained certification as a:

- (i) fire inspector I as described in 655 IAC 1-2.1-12;**
 - (ii) fire inspector II as described in 655 IAC 1-2.1-13; or**
 - (iii) fire inspector I/II as described in 655 IAC 1-2.1-13.1;**
- and**

(B) in the case of an individual who is not an employee of a fire department, completed at least two (2) years of experience as a fire inspector described in clause (A)(i) through (A)(iii).

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



President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____

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