

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 2017 Regular Session of the General Assembly.

## SENATE ENROLLED ACT No. 393

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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 22-11-21 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]:

**Chapter 21. Firefighter Safety Notification**

**Sec. 1. This chapter applies only to a Class 1 or Class 2 structure for which a building permit is issued by a city, town, or county after June 30, 2018.**

**Sec. 2. As used in this chapter, "advanced structural components" means lightweight I-joists or lightweight roof trusses that:**

- (1) have less mass cross-sectional area than sawn lumber of equivalent proportions used in an equivalent application; and**
- (2) are assembled from combustible or noncombustible materials, or both.**

**The term does not include a structural assembly, joist, or truss that provides at least one (1) hour of fire resistance when tested in accordance with the ASTM Standard E119.**

**Sec. 3. As used in this chapter, "ASTM" refers to the American Society for Testing and Materials.**

**Sec. 4. As used in this chapter, "Class 1 structure" has the meaning set forth in IC 22-12-1-4.**

**Sec. 5. As used in this chapter, "Class 2 structure" has the**

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meaning set forth in IC 22-12-1-5.

**Sec. 6.** As used in this chapter, "fire department" has the meaning set forth in IC 22-12-1-12.

**Sec. 7.** As used in this chapter, "qualifying property" means any property subject to this chapter.

**Sec. 8.** As used in this chapter, "structure" means a Class 1 or Class 2 structure.

**Sec. 9. (a)** An applicant for a city, town, or county issued building permit for a Class 1 or Class 2 structure must provide the following information when applying for the building permit:

- (1) The street address of a qualifying property containing advanced structural components.
- (2) The name of the township and the county in which the qualifying property is located.
- (3) The types of advanced structural components used in the qualifying property.
- (4) The location of the advanced structural components used in the floor, or roof, or both, of the qualifying property.

**(b)** The city, town, or county issued building permit application form used to comply with subsection (a) must include a place on the form for providing the information required under subsection (a).

**Sec. 10.** Not later than ninety (90) days after issuing the building permit, the city, town, or county building commissioner shall send electronic notification, read receipt requested, of a structure's use of advanced structural components to the:

- (1) local fire department; and
- (2) 911 telephone call center;

responsible for the area where the structure is located.

**Sec. 11.** Upon receiving a notification described under section 10 of this chapter, the receiving 911 telephone call center shall:

- (1) maintain the information contained in the notification for the qualifying property; and
- (2) relay the information contained in a qualifying property's notification to all responding public safety units whenever dispatching public safety units to a qualifying property's address.

SECTION 2. IC 22-13-2-2, AS AMENDED BY P.L.86-2015, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) **Except as provided in section 3.5 of this chapter**, the commission shall adopt rules under IC 4-22-2 to adopt a statewide code of fire safety laws and building laws.



(b) The commission may adopt temporary rules in a manner provided for the adoption of emergency rules under IC 4-22-2-37.1 to administer regulation of sanitary conditions and sanitary facilities of Class I structures under IC 22-12-1-3(4). A temporary rule adopted under this subsection expires on the earliest of the following dates:

- (1) The date specified in the temporary rule.
- (2) The date another temporary rule adopted under this subsection or rule adopted under IC 4-22-2 supersedes or repeals the previously adopted temporary rule.
- (3) January 1, 2017.

(c) Before December 1, 2003, the commission shall adopt the most recent edition, including addenda, of the following national codes by rules under IC 4-22-2 and IC 22-13-2.5 (before its repeal):

- (1) ANSI A10.4 (Safety Requirements for Personnel Hoists).
- (2) ASME A17.1 (Safety Code for Elevators and Escalators, an American National Standard).
- (3) ASME A18.1 (Safety Standard for Platform Lifts and Stairway Chairlifts, American National Standard).
- (4) ASME QEI-1 (Standard for the Qualification of Elevator Inspectors, an American National Standard).
- (5) The American Society of Civil Engineers (ASCE) Automated People Mover Standard 21.
- (6) ANSI A90.1 Safety Code for Manlifts.

(d) Before July 1, 2006, the commission shall adopt the most recent edition, including addenda, of ASME A17.3 (Safety Code for Existing Elevators and Escalators, an American National Standard) by rules under IC 4-22-2 and IC 22-13-2.5 (before its repeal).

(e) The commission shall adopt the subsequent edition of each national code, including addenda, to be adopted as provided under subsections (c) and (d) within eighteen (18) months after the effective date of the subsequent edition.

(f) The commission may amend the national codes as a condition of the adoption under subsections (c), (d), and (e).

**SECTION 3. IC 22-13-2-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 2.5. (a) Before January 1, 2020, the commission shall adopt rules under IC 4-22-2 to replace the statewide residential code for Class 2 structures that is included within the statewide code of fire safety laws and building laws adopted under section 2 of this chapter.**

**(b) If the commission uses a national code as part of the adoption of a replacement statewide residential code under**



**subsection (a), the commission shall amend the national code as a condition of the adoption under subsection (a).**

**(c) The commission shall submit a report to the general assembly not later than January 1, 2019, regarding the commission's work during the previous year related to adoption of a replacement statewide residential code under subsection (a). The report to the general assembly must be submitted in an electronic format under IC 5-14-6.**

SECTION 4. IC 22-13-2-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) Except to the extent provided in subsection (c), the rules adopted under section 2 of this chapter take precedence over:

- (1) any rule adopted by a state agency that conflicts with the commission's fire safety rules or building rules; and
- (2) any ordinance or other regulation adopted by a political subdivision that covers the same subject matter as the commission's fire safety rules or building rules.

(b) State agencies and political subdivisions may incorporate the rules adopted by the commission by reference into a rule, ordinance, or other regulation. Notwithstanding IC 4-22-9-6, a reference to the rules adopted by the commission, by citation to the Indiana Administrative Code (IAC), shall be construed to include all amendments as of the date that the reference is written and any later amendments to that provision, unless accompanied by a reference to a specific edition or supplement to the Indiana Administrative Code.

(c) **Except as provided in section 3.5 of this chapter**, a city, town, or county may adopt an ordinance that includes more stringent or detailed requirements that do not conflict with the commission's rules, but the ordinance is subject to approval under section 5 of this chapter.

SECTION 5. IC 22-13-2-3.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 3.5. (a) The following may not adopt rules requiring the installation of an automatic fire sprinkler system in a Class 2 structure:**

- (1) **The commission.**
- (2) **Another state agency.**

**(b) A political subdivision may not adopt an ordinance or other regulation requiring the installation of an automatic fire sprinkler system in a Class 2 structure.**

SECTION 6. **An emergency is declared for this act.**



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President of the Senate

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President Pro Tempore

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Speaker of the House of Representatives

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Governor of the State of Indiana

Date: \_\_\_\_\_ Time: \_\_\_\_\_

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