

PROPOSED AMENDMENT

HB 1003 # 6

DIGEST

Building safety matters. Requires the legislative council to assign the annual report on the codification or amendment of the Indiana building code for review by a study committee. Requires the department of homeland security (department) to consult with industry experts, professionals, and interested stakeholders who have indicated an interest in the subject matter of the recommendations contained in the report. Provides that the department shall authorize compliance with a more recent version of a model code than that which is currently incorporated into the building, fire safety, or equipment laws of Indiana. Allows an architect or professional engineer licensed in Indiana to self-certify a design release application for a construction project. Provides that if a complete self-certified application is submitted to department, the department must provide the applicant with, not later than the next business day, a copy of the design release or a confirmation number that serves as a temporary design release until the applicant receives a copy of the design release.

- 1 Page 321, delete lines 31 through 40.
- 2 Page 322, delete lines 1 through 28, begin a new paragraph and
- 3 insert:
4 "SECTION 510. IC 22-12-2.1 IS ADDED TO THE INDIANA
5 CODE AS A NEW CHAPTER TO READ AS FOLLOWS
6 [EFFECTIVE UPON PASSAGE]:
7 **Chapter 2.1. Transition of Responsibilities for Fire Prevention**
8 **and Building Safety**
9 **Sec. 1. (a) On July 1, 2026, all powers, duties, agreements, and**
10 **liabilities of the fire prevention and building safety commission are**
11 **transferred to the department.**
12 **(b) On July 1, 2026, all records and property of the fire**
13 **prevention and building safety commission, including**
14 **appropriations and other funds under the control or supervision of**
15 **the fire prevention and building safety commission, are transferred**
16 **to the department.**
17 **(c) After June 30, 2026, any amounts owed to the fire prevention**
18 **and building safety commission before July 1, 2026, are considered**
19 **to be owed to the department as the successor agency.**
20 **(d) After June 30, 2026, a reference to the fire prevention and**
21 **building safety commission in a statute, rule, or other document is**

1 **considered a reference to the department.**

2 **(e) Proceedings pending before the fire prevention and building**
3 **safety commission on July 1, 2026, shall be transferred from the**
4 **fire prevention and building safety commission to the department**
5 **and treated as if initiated by the department.**

6 **(f) A license or permit issued by the fire prevention and building**
7 **safety commission before July 1, 2026, shall be treated after June**
8 **30, 2026, as a certification issued by the department.**

9 **(g) The rules adopted by the fire prevention and building safety**
10 **commission before July 1, 2026:**

11 **(1) are considered, after June 30, 2026, rules of the**
12 **department; and**

13 **(2) remain in place without expiration until the rules are**
14 **codified by the general assembly.**

15 **(h) Not later than July 1, 2027, and each year thereafter, the**
16 **department shall submit a report to the legislative council in an**
17 **electronic format under IC 5-14-6 making recommendations for**
18 **codification and amendment of the rules of the fire prevention and**
19 **building safety commission. The legislative council shall assign the**
20 **report to be reviewed by an study committee established under**
21 **IC 2-5-1.3. In preparing the report required by this subsection, the**
22 **department shall consult with industry experts, professionals, and**
23 **interested stakeholders who have indicated an interest in the**
24 **subject matter of the recommendations contained in the report.**".

25 Page 340, between lines 30 and 31, begin a new paragraph and
26 insert:

27 **"SECTION 551. IC 22-13-2-15 IS ADDED TO THE INDIANA**
28 **CODE AS A NEW CHAPTER TO READ AS FOLLOWS**
29 **[EFFECTIVE JULY 1, 2026]: Sec. 15. (a) This section applies to any**
30 **property regulated by IC 22-12, IC 22-13, IC 22-14, IC 22-15, or a**
31 **rule of the department.**

32 **(b) The department shall authorize compliance with a more**
33 **recent version of a model code than that which is currently**
34 **incorporated int the building, fire safety, or equipment laws of**
35 **Indiana.**

36 **(c) To make an authorization under subsection (b), the**
37 **department must:**

38 **(1) specifically identify, by name and version, the model code**
39 **that is being authorized;**

40 **(2) include a finding that compliance with the more recent**

1 **version of the model code is not adverse to the health, safety,**
2 **or welfare of the public;**

3 **(3) identify any other associated model codes that must also be**
4 **complied with in lieu of the Indiana version; and**

5 **(4) file a notice in the Indiana register containing the**
6 **information described in subdivisions (1) through (3).**

7 **(d) The department may impose conditions on an authorization**
8 **issued under this section necessary to ensure that the following are**
9 **maintained:**

10 **(1) The health, safety, or welfare of the public.**

11 **(2) The integrity of Indiana's regulatory program.**

12 **(e) The department may modify or eliminate any authorization**
13 **made under this section by filing an updated notice in the Indiana**
14 **register. The modification or elimination of an authorization may**
15 **not take effect sooner than one hundred eighty (180) days after the**
16 **date of posting in the Indiana register. The modification or**
17 **elimination of an authorization is subject to IC 4-21.5.**

18 **(f) Compliance with an authorization made under this section is**
19 **voluntary. However, if a person elects to comply with an**
20 **authorization, the failure to comply with any provision of the**
21 **authorization is a violation of the building, fire safety, or**
22 **equipment laws of Indiana."**

23 Page 349, between lines 7 and 8, begin a new paragraph and insert:

24 "SECTION 570. IC 22-15-1-2, AS AMENDED BY P.L.22-2005,
25 SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
26 JULY 1, 2026]: Sec. 2. (a) This section applies to a provision of this
27 article, **IC 22-12, IC 22-13, IC 22-14, or a rule of the department**
28 that requires an applicant for a **release, certification, registration,**
29 **permit, approval, or other license to:**

30 **(1) demonstrate that the person is in compliance with all building**
31 **laws, fire safety laws, or equipment laws; or**

32 **(2) submit proof or certify that a person is acting or will act in**
33 **conformity with all building laws, fire safety laws, or equipment**
34 **laws.**

35 **(b) Compliance with either:**

36 **(1) the conditions of a variance issued under IC 22-13-2-11; or**

37 **(2) an authorization made under IC 22-13-2-15;**

38 shall be treated under this article as compliance with the building law,
39 fire safety law, or equipment law from which the variance **or**
40 **authorization** is granted."

1 Page 353, between lines 37 and 38, begin a new paragraph and
2 insert:

3 "SECTION 580. IC 22-15-3.2-7, AS AMENDED BY P.L.238-2025,
4 SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 UPON PASSAGE]: Sec. 7. (a) A design release shall be issued to an
6 applicant without a plan review if:

7 (1) the applicant submits a complete application and (2) the
8 department does not select the application for a plan review under
9 this section; **or**

10 **(2) the applicant self-certifies as provided in IC 22-15-3.5.**

11 (b) The department may select any application for design release to
12 be subject to a plan review. The department has complete discretion in
13 the criteria used by the department to select a design release
14 application for a plan review. A criterion used by the department may
15 be whether the design professional has received disciplinary sanctions
16 under IC 25-1-11-12 within the preceding five (5) years.

17 **(c) The following types of plans qualify for a release without a
18 plan review:**

19 **(1) Plans approved by the department or another
20 governmental jurisdiction.**

21 **(2) Plans for a structure that is not traditionally occupied or
22 is classified as a storage building.**

23 **(3) Plans for an open-air pavilion.**

24 **(4) Plans for a remodel, renovation, or repair of a structure
25 that is not undergoing a change of use.**

26 ~~(e)~~ (d) Not later than July 1, 2025, 2026, the department shall
27 identify and publish a **complete** list of **projects the types of plans** that
28 qualify under subsection (a)(2) (a)(1) for release without a plan
29 review.".

30 Page 354, between lines 23 and 24, begin a new line and insert:

31 "SECTION 582. IC 22-15-3.5 IS ADDED TO THE INDIANA
32 CODE AS A **NEW CHAPTER** TO READ AS FOLLOWS
33 [EFFECTIVE JULY 1, 2026]:

34 **Chapter 3.5. Self Certification by Design Professional**

35 **Sec. 1. The definitions in IC 22-15-3.2 apply throughout this
36 chapter.**

37 **Sec. 2. (a) Notwithstanding any other law, an applicant for a
38 construction project requiring a design release for a Class 1
39 structure under IC 22-12-3 may satisfy the design release
40 requirement through self-certification.**

7 **Sec. 3. To self-certify a project, an applicant for a design release**
8 **must:**

20 **Sec. 4. The department shall develop an electronic application**
21 **form for self-certifying applicants.**

22 **Sec. 5. The certifying design professional shall:**

23 **(1) perform a comprehensive review of the construction**
24 **documents; and**
25 **(2) submit to the department a signed certification, under**
26 **penalty of perjury, affirming that the plans comply with all**
27 **applicable state building codes and rules.**

28 **Sec. 6. Upon receipt of a complete certification and required**
29 **documentation, the department shall, not later than the next**
30 **business day, provide to the applicant:**

31 (1) a copy of the design release; or
32 (2) a confirmation number that serves as a temporary design
33 release until the applicant receives a copy of the design
34 release;

35 without conducting a technical plan review.

36 Sec. 7. The department may:

37 (1) audit self-certified projects;
38 (2) require corrective action for non-compliance;
39 (3) revoke or suspend a professional's authority to provide
40 certifications; and

1 **(4) refer violations to the appropriate licensing board or**
2 **impose civil penalties as authorized by law.**

3 **Sec. 8. The department may collect plan review fees for projects**
4 **that are released without a plan review.**

5 **Sec. 9. Nothing in this section limits the authority of state or**
6 **local inspection officials to conduct inspections or enforce**
7 **compliance during construction.**

8 **Sec. 10. An applicant who is qualified to self-certify may apply**
9 **for a design release under:**

10 **(1) this chapter; or**
11 **(2) IC 22-15-3.**

12 **Sec. 11. Participation in the self-certification program is**
13 **voluntary. Nothing in this section prohibits the department from**
14 **reviewing or not reviewing an application in accordance with**
15 **IC 22-15-3.".**

16 Renumber all SECTIONS consecutively.

(Reference is to HB 1003 as amended by AM100305.)