

HOUSE BILL No. 1124

DIGEST OF INTRODUCED BILL

Citations Affected: IC 22-11-21.

Synopsis: Engineered lumber. Requires an individual applying for a building permit after June 30, 2017, to disclose the use of engineered lumber on the building permit application. Directs that a building commissioner shall not: (1) approve a structure or private home during final inspection; or (2) issue a certificate of occupancy for a Class 1 or Class 2 structure; unless disclosure requirements regarding engineered lumber are met. Requires the building commissioner to notify the: (1) local fire department; and (2) local 911 call center; of a Class 1 or Class 2 structure's use of engineered lumber not later than 10 days after issuing a building permit. Requires that all notifications regarding the use of engineered lumber must: (1) be sent by certified mail; and (2) request a return receipt. Defines certain terms. Makes conforming technical amendments.

Effective: July 1, 2017.

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January 5, 2017, read first time and referred to Committee on Veterans Affairs and Public Safety.



First Regular Session of the 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.

HOUSE BILL No. 1124

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 22-11-21 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2017]:
4 **Chapter 21. Engineered Lumber**
5 **Sec. 1. This chapter applies only to a Class 1 or Class 2 structure**
6 **for which a building permit is issued after June 30, 2017.**
7 **Sec. 2. As used in this chapter, "ASTM" refers to the American**
8 **Society for Testing and Materials.**
9 **Sec. 3. As used in this chapter, "Class 1 structure" has the**
10 **meaning set forth in IC 22-12-1-4.**
11 **Sec. 4. As used in this chapter, "Class 2 structure" has the**
12 **meaning set forth in IC 22-12-1-5.**
13 **Sec. 5. As used in this chapter, "engineered lumber" means**
14 **lumber or structural assemblies that:**
15 **(1) are composite materials fabricated from:**
16 **(A) wood;**
17 **(B) light gauge metal;**



- 1 (C) adhesives;
 2 (D) other component materials; or
 3 (E) any combination of materials described in clauses (A)
 4 through (D);
 5 (2) have less mass cross-sectional area than sawn lumber of
 6 equivalent proportions used in an equivalent application; and
 7 (3) are assembled from combustible or noncombustible
 8 materials, or both.
- 9 **The term does not include lumber or a structural assembly that**
 10 **provides at least one (1) hour of fire resistance when tested in**
 11 **accordance with ASTM Standard E119.**
- 12 **Sec. 6. As used in this chapter, "fire department" has the**
 13 **meaning set forth in IC 22-12-1-12.**
- 14 **Sec. 7. As used in this chapter, "qualifying property" means any**
 15 **property subject to this chapter.**
- 16 **Sec. 8. As used in this chapter, "structure" means a Class 1 or**
 17 **Class 2 structure.**
- 18 **Sec. 9. (a) An individual who applies for a building permit for**
 19 **a Class 1 or Class 2 structure shall provide the following**
 20 **information when applying for a building permit:**
- 21 (1) The street address of the qualifying property containing
 22 the engineered lumber.
 23 (2) The name of the township and the county in which the
 24 qualifying property is located.
 25 (3) The types of engineered lumber used in the qualifying
 26 property.
 27 (4) The location of the engineered lumber in the qualifying
 28 property.
- 29 **(b) The building permit application form used to comply with**
 30 **subsection (a) must include a place on the form for providing the**
 31 **information required by subsection (a).**
- 32 **Sec. 10. (a) Not later than ten (10) business days after issuing a**
 33 **building permit, the building commissioner shall send written**
 34 **notification of a structure's use of engineered lumber to the:**
- 35 (1) local fire department; and
 36 (2) 911 telephone call center;
 37 **responsible for the area where the structure is located.**
- 38 **(b) The notification described under subsection (a) must consist**
 39 **of the same information described under section 9(a) of this**
 40 **chapter.**
- 41 **(c) An individual required to send the notification described in**
 42 **subsection (a) or section 9(a) of this chapter shall send the**



1 notification by certified mail, return receipt requested.

2 **Sec. 11. A building commissioner shall not:**

3 **(1) approve a qualifying property on final inspection; or**

4 **(2) issue a certificate of occupancy for a qualifying property;**
5 **unless the appropriate application and notice requirements**
6 **described in sections 9(a) and 10(a) of this chapter are met.**

7 **Sec. 12. Upon receiving a notification described in section 10(a)**
8 **of this chapter, the chief of the recipient fire department**
9 **responsible for the area where the qualifying property is located**
10 **shall:**

11 **(1) post the information contained in the notification in a**
12 **conspicuous place for all emergency personnel;**

13 **(2) provide the information contained in the notification to**
14 **any fire department providing mutual aid; and**

15 **(3) for Class 1 structures only, add the structure to the**
16 **inspection file for required follow-up inspections on a timely**
17 **basis.**

18 **Sec. 13. Upon receiving a notification described under section**
19 **10(a) of this chapter, the recipient 911 telephone call center shall:**

20 **(1) maintain the information contained in the notification for**
21 **the qualifying property; and**

22 **(2) relay the information contained in a qualifying property's**
23 **notification to all responding public safety units whenever**
24 **dispatching public safety units to a qualifying property's**
25 **address.**

