



Reprinted
March 29, 2023

ENGROSSED

SENATE BILL No. 277

DIGEST OF SB 277 (Updated March 28, 2023 3:12 pm - DI 116)

Citations Affected: IC 22-11; IC 36-8.

Synopsis: Fire protection. Provides that an individual who is certified as a fire inspector may conduct a fire inspection. Provides that an individual who is certified as a fire inspector and not an employee of the fire department may conduct a fire inspection after completing additional requirements. Requires a structure constructed or initially converted or remodeled after June 30, 2023, for use as an animal facility to have a fire alarm system or staff on duty any time a dog or cat is present on the premises. Authorizes periodic local or state fire inspections to determine compliance.

Effective: July 1, 2023.

Freeman, Sandlin,
Randolph Lonnie M
(HOUSE SPONSORS — SPEEDY, ANDRADE)

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

February 21, 2023, amended, reported favorably — Do Pass.

February 23, 2023, read second time, amended, ordered engrossed.

February 24, 2023, engrossed.

February 27, 2023, read third time, passed. Yeas 49, nays 0.

HOUSE ACTION

March 6, 2023, read first time and referred to Committee on Veterans Affairs and Public Safety.

March 20, 2023, amended, reported — Do Pass.

March 28, 2023, read second time, amended, ordered engrossed.

ES 277—LS 7018/DI 116



Reprinted
March 29, 2023

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.

ENGROSSED SENATE BILL No. 277

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

4 **Chapter 22. Pet Fire Safety**

5 **Sec. 1. This chapter applies to a structure that after June 30,**
6 **2023, is:**

7 (1) **constructed; or**

8 (2) **initially converted or remodeled;**

9 **for use as an animal facility.**

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

12 (1) **A pet store.**

13 (2) **A veterinary hospital.**

14 (3) **A commercial overnight boarding facility.**

15 (4) **An animal care facility (as defined in IC 6-9-39-1) that is**
16 **operating without a private residential dwelling on the**
17 **premises.**

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

5 **Sec. 4. As used in this chapter, "fire alarm system" means a**
 6 **system that automatically sends notice of an alarm to a local fire or**
 7 **police department when the alarm is activated.**

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

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

12 **(1) A fire alarm system that is:**

13 **(A) designed by a fire alarm technician; and**

14 **(B) in operating condition.**

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

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

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

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

34 (b) The fire department serving an area that includes a city shall
 35 inspect every place and public way within the jurisdiction of the city,
 36 except the interiors of private dwellings, for compliance with the fire
 37 safety laws. Upon the request of an owner or a primary lessee who
 38 resides in a private dwelling, the fire department may inspect the
 39 interior of the private dwelling to determine compliance with
 40 IC 22-11-18-3.5. Except as otherwise provided in the rules adopted by
 41 the commission, the fire chief of the fire department shall specify the
 42 schedule under which places and public ways are inspected and may



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

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

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

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

17 **(2) has:**

18 **(A) obtained certification as a:**

19 **(i) fire inspector I as described in 655 IAC 1-2.1-12;**

20 **(ii) fire inspector II as described in 655 IAC 1-2.1-13; or**

21 **(iii) fire inspector I/II as described in 655 IAC 1-2.1-13.1;**

22 **and**

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

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



COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred Senate Bill No. 277, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"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 new construction at an animal facility that begins after June 30, 2023.

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

- (1) An overnight animal boarding facility.
- (2) A pet store.
- (3) An animal care facility (as defined in IC 6-9-39-1).
- (4) A veterinary hospital.

Sec. 3. As used in this chapter, "fire alarm system" means a system that automatically sends notice of an alarm to a local fire or police department when the alarm is activated.

Sec. 4. As used in this chapter, "overnight animal boarding facility" means a business that houses dogs or cats overnight for a fee.

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

Sec. 6. New construction at 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 the animal facility or the department of homeland security may periodically inspect an animal facility to determine compliance with this chapter."

Page 2, line 16, after "who" insert ":

(1)".

Page 2, line 17, delete "." and insert "; 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 three (3) years of experience as a fire inspector described in clause (A)(i) through (A)(iii)."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 277 as introduced.)

CRIDER, Chairperson

Committee Vote: Yeas 7, Nays 0.

SENATE MOTION

Madam President: I move that Senate Bill 277 be amended to read as follows:

Page 1, delete lines 1 through 17.

Page 2, delete lines 1 through 14.

Renumber all SECTIONS consecutively.

(Reference is to SB 277 as printed February 22, 2023.)

FREEMAN

COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred Senate Bill 277, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

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"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.

Sec. 3. As used in this chapter, "fire alarm system" means a system that automatically sends notice of an alarm to a local fire or police department when the alarm is activated.

Sec. 4. As used in this chapter, "pet store" means a retailer that sells dogs or cats.

Sec. 5. 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. 6. 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. 7. 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)."

Page 2, line 26, delete "three (3)" and insert "**two (2)**".

Re-number all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 277 as reprinted February 24, 2023.)

FRYE R

Committee Vote: yeas 12, nays 0.

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HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 277 be amended to read as follows:

Page 1, between lines 13 and 14, begin a new line block indented and insert:

"(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."

Page 1, line 14, delete "Sec. 3." and insert "**Sec. 4.**".

Page 1, line 17, delete "Sec. 4." and insert "**Sec. 5.**".

Page 2, line 2, delete "Sec. 5." and insert "**Sec. 6.**".

Page 2, line 9, delete "Sec. 6." and insert "**Sec. 7.**".

Page 2, line 13, delete "Sec. 7." and insert "**Sec. 8.**".

(Reference is to ESB 277 as printed March 20, 2023.)

SPEEDY

