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November 21, 2022

Indiana Department of Homeland Security
c/o Indiana Fire Prevention and Building Safety Commission
302 W. Washington Street
E208
Indianapolis, IN 46204

Re: IAA's Comments on the proposed 2024 Indiana Electrical Code Review

Dear Commissioners,

The Indiana Apartment Association (IAA) represents 273,000 professionally managed apartment homes across the state. Our members are developers and managers of all types of multifamily housing. Our members operate in rural communities and urban communities. Our members operate properties ranging from government-subsidized properties to luxury rental homes.

Please accept this letter as our testimony and comments on the proposed rulemaking for the proposed 2024 Indiana Electrical Code.

We appreciate the opportunity to share our perspective on updating the Indiana Electrical Code. We also appreciated the opportunity to have representation on the subcommittee, which reviewed the proposed code.

As the list of amendments to the proposed 2024 Indiana Electrical Code indicate, there was a lot of unanimous agreement on the proposed code. However, IAA would like to focus its attention on our proposed amendments that were rejected, as there will be cost implications that will impact Hoosiers and, in some cases, there are better, more cost-effective options than what is mandated in the proposed code.

First, 230.67 Surge Protection devices on all services supplying a dwelling unit will have a fiscal impact of approximately \$10.9M for one- and two-family dwellings and \$7.12M for apartments. Typically, when someone owns an expensive electronic item or device, they purchase a surge protector for a minimal cost to protect that item. IAA supported an amendment that would have removed this requirement and resulted in significant savings to Hoosiers. The committee voted against adopting the proposal to delete this mandate by a vote of 4-5.

Second, 406.12 Tamper-Resistant Receptacles (TRR's) requires these devices in dwelling units. For decades, Hoosier parents have purchased plastic plugs to place in electrical outlets to protect their children at a fraction of the cost of requiring all outlets to contain TRR's, which is not required in the Indiana Residential Code or the current electrical code. IAA supported a commonsense amendment would have eliminated this mandate and resulted in cost savings of \$1.42M in apartments and \$2.18M in class 2 buildings. The committee defeated the amendment 4-6.

Third, 422.5(A)(7) requires GFCI protection for Dishwashers, which is a new addition to the current electrical code. This will result in an additional cost of \$284,900 for apartments and \$435,560 for one- and two- family dwellings. The proposal seeking to remove this requirement failed 4-6.

Fourth, 210.8(A) requires GFCI protection where 250-volt appliances exist and the presence of water could exist, which is not required in Indiana's existing electrical code. The cost impact of this new requirement is \$3.05M for single-family homes and \$1.42M for apartments. A proposal was rejected by the committee by a vote of 2-7, which would have removed this requirement. There was no Indiana-specific data provided to evidence the need for this new requirement in the code.

Finally, 210.12 Arc-Fault Circuit Interrupters Protection is not a requirement in the current electrical code. IAA, along with the Indiana Builders, sought to remove this requirement that all 120-volt single phase 15- and 20- ampere branch circuits supplying outlets or other devices installed in dwellings be eliminated. The fiscal impact is \$9.7M for single-family dwellings and \$7.1M for apartments. Again, the proposal was rejected by a vote of 2-7.

The total annual fiscal impact of the 5 referenced changes that were rejected by the committee will increase the cost of housing approximately \$43.61M annually from the existing Indiana Electrical Code. This number does not include all the other small items that IAA did not include in its amendments. IAA selected those most costly provisions in the proposed codes and focused our limited resources on those amendments that we felt were most reasonable to preserve from the existing Indiana electrical code. The real fiscal calculated from the current electrical code to the newly proposed 2024 Electrical Code will be millions of dollars more than \$43.61M represented above.

Historically, Indiana has some of the most affordable real estate in the country. Consistently, Indiana's average cost of rent ranks in the top 10 in the nation for affordability and in the top 10 for the cost of a single-family home. Indiana has historically been intentional in adopting rules and regulations that are absolutely necessary for the health and safety of Hoosiers. Historically, Indiana has excluded from the building code mandated equipment where alternative cost-effective solutions exist.

The current proposed electrical code is a departure from that longstanding process.

IAA respectfully requests intervention by the Fire Prevention and Building Safety Commission and/or the Office of Governor Eric Holcomb to lower the economic impact on the proposed 2024 Indiana Electrical Code, as failure to do so will have long-term implications on the cost of housing for Hoosiers.

IAA respectfully requests that the 5 above-referenced mandates be eliminated from the proposed 2024 Indiana Electrical Code. Further, we respectfully request a fiscal analysis calculating the difference in costs from the existing Indiana electrical code to the proposed electrical code. Finally, we have great concern at the prospect of updating the plumbing, fuel and gas, mechanical, building, fire, existing building, and GAR codes simultaneously and the potential cost impacts on housing all at once, which could result in hundreds of millions of dollars in increased costs.

Sincerely,



Lynne Petersen, CAE
President



Brian Spaulding, J.D.
Vice President of Government Affairs

CC: Office of Governor Eric J. Holcomb
Office of Lt. Governor Suzanne Crouch
Joel Thacker, Executive Director, IDHS
Jacob Sipe, Executive Director, IHCD
House Speaker Todd Huston
President Pro Tempore Rod Bray