

SENATE MOTION

MR. PRESIDENT:

I move that Senate Bill 26 be amended to read as follows:

- 1 Page 1, between lines 5 and 6, begin a new paragraph and insert:
2 **"Sec. 1. As used in this chapter, "interested person" refers to a**
3 **person that has a dispute with a county or a municipality regarding**
4 **the interpretation of a building law."**
5 Page 1, line 6, delete "Sec. 1. The" and insert **"Sec. 2. Upon the**
6 **written request of an interested person, the"**
7 Page 1, delete lines 11 through 17, begin a new paragraph and
8 insert:
9 **"Sec. 3. (a) A written interpretation issued under section 2 of**
10 **this chapter binds the interested person and the county or**
11 **municipality with whom the interested person has the dispute until**
12 **the written interpretation is overruled in a proceeding under**
13 **IC 4-21.5.**
14 (b) For purposes of IC 4-21.5, the commission is the ultimate
15 authority regarding a written interpretation issued under section
16 2 of this chapter.
17 Sec. 4. (a) A written interpretation of a building law binds all
18 counties and municipalities if the office of the state building
19 commissioner publishes the written interpretation of the building
20 law in the Indiana Register under IC 4-22-7-7(b). For purposes of
21 IC 4-22-7-7, a written interpretation of a building law published by
22 the office of the state building commissioner is considered adopted
23 by an agency.
24 (b) A written interpretation of a building law published under
25 subsection (a) binds all counties and municipalities until the earlier
26 of the following:
27 (1) The general assembly enacts a statute that substantively
28 changes the building law interpreted or voids the written
29 interpretation.
30 (2) The commission adopts a rule under IC 4-22-2 to state a
31 different interpretation of the building law.
32 (3) The written interpretation is found to be an erroneous
33 interpretation of the building law in a judicial proceeding.

1 **(4) The office of the state building commissioner publishes a**
2 **different written interpretation of the building law."**

3 Page 2, delete line 1.

4 Page 2, delete lines 27 through 29, begin a new line block indented
5 and insert:

6 **(5) a written interpretation of a building law binding on the**
7 **unit under IC 22-13-5-3 or IC 22-13-5-4."**

(Reference is to SB 26 as printed February 26, 1999.)

Senator WYSS