

HOUSE BILL No. 1272

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-7-8-3.

Synopsis: Building code exemptions. Provides that the exemption from building code requirements that applies to private homes built by individuals and used for their own occupancy also applies to an accessory structure that is located within the area that constitutes an individual's homestead (as defined for property tax purposes) and is built by the individual for the individual's own occupancy or use.

Effective: July 1, 2000.

Whetstone, Thompson

January 11, 2000, read first time and referred to Committee on Local Government.

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Second Regular Session 111th General Assembly (2000)

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 1999 General Assembly.

HOUSE BILL No. 1272



A BILL FOR AN ACT to amend the Indiana Code concerning local government.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 36-7-8-3 IS AMENDED TO READ AS FOLLOWS
- 2 [EFFECTIVE JULY 1, 2000]: Sec. 3. (a) The legislative body of a
- 3 county having a county department of buildings or joint city-county
- 4 building department may, by ordinance, adopt building, heating,
- 5 ventilating, air conditioning, electrical, plumbing, and sanitation
- 6 standards for unincorporated areas of the county. These standards take
- 7 effect only on the legislative body's receipt of written approval from the
- 8 fire prevention and building safety commission.
- 9 (b) An ordinance adopted under this section must be based on
- 10 occupancy, and it applies to:
- 11 (1) the construction, alteration, equipment, use, occupancy,
- 12 location, and maintenance of buildings, structures, and
- 13 appurtenances that are on land or over water and are:
- 14 (A) erected after the ordinance takes effect; and
- 15 (B) if expressly provided by the ordinance, existing when the
- 16 ordinance takes effect;
- 17 (2) conversions of buildings and structures, or parts of them, from



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- 1 one occupancy classification to another; and
- 2 (3) the movement or demolition of buildings, structures, and
- 3 equipment for the operation of buildings and structures.
- 4 (c) The rules of the fire prevention and building safety commission
- 5 are the minimum standards upon which ordinances adopted under this
- 6 section must be based.
- 7 (d) An ordinance adopted under this section does not apply to
- 8 private homes that are built by individuals and used for their own
- 9 occupancy. **An ordinance adopted under this section does not apply**
- 10 **to a structure that is:**
- 11 (1) **an accessory to the physical structure that is used as an**
- 12 **individual's residence;**
- 13 (2) **located within the area that constitutes the individual's**
- 14 **homestead (as defined in IC 6-1.1-20.9-1); and**
- 15 (3) **built by the individual for the individual's own occupancy**
- 16 **or use.**

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