



January 31, 2003

SENATE BILL No. 354

DIGEST OF SB 354 (Updated January 28, 2003 1:17 PM - DI 110)

Citations Affected: IC 22-13; noncode.

Synopsis: Visitability standards in building codes. Requires the fire prevention and building safety commission to adopt standards by rule regarding visitability features in new construction of dwellings. Provides that if a person contracts with a designer or a builder to construct a visitability feature in new construction, the designer and the builder must comply with the standards adopted by the commission.

Effective: Upon passage.

Lawson C, Howard

January 16, 2003, read first time and referred to Committee on Commerce and Consumer Affairs.
January 30, 2003, amended, reported favorably — Do Pass.

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SB 354—LS 7786/DI 87+



January 31, 2003

First Regular Session 113th General Assembly (2003)

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 2002 Regular or Special Session of the General Assembly.

SENATE BILL No. 354

A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

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

- 1 SECTION 1. IC 22-13-4-7 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: **(a) This section applies only to new construction**
4 **of the following dwellings:**
5 **(1) A detached one (1) or two (2) family dwelling.**
6 **(2) A townhouse.**
7 **(b) This section does not apply to a mobile structure or**
8 **industrialized building system.**
9 **(c) As used in this section, "environmental controls" means**
10 **switches or devices that control or regulate lights, temperature,**
11 **fuses, fans, doors, security system features, or other features.**
12 **(d) As used in this section, "new construction" means the**
13 **construction of a new dwelling on a vacant lot. The term does not**
14 **include an addition to or remodeling of an existing building.**
15 **(e) As used in this section, "townhouse" means a single family**
16 **dwelling unit constructed in a row of attached units separated by**
17 **property lines and with open space on at least two (2) sides.**

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1 (f) As used in this section, "visitability feature" means a design
 2 feature of a dwelling that allows a person with a mobility
 3 impairment to enter and comfortably stay in a dwelling for a
 4 duration of time. The term includes features that allow a person
 5 with a mobility impairment to get in and out through one (1)
 6 exterior door of the dwelling without any steps, and to pass
 7 through all main floor interior doors, including a bathroom.

8 (g) If a person contracts with a designer and a builder for
 9 construction of a visitability feature in the new construction of a
 10 dwelling, the designer and builder shall comply with the standards
 11 adopted by the commission under this section for construction and
 12 design of the visitability feature. The standards adopted under this
 13 section:

14 (1) shall be enforced by a political subdivision that enforces
 15 the commission's standards with respect to Class 2 structures;
 16 and

17 (2) may not be enforced by the department.

18 (h) The commission shall adopt minimum standards by rule
 19 under IC 4-22-2 for visitability features in the new construction of
 20 a dwelling. The rules shall include minimum standards for the
 21 following:

22 (1) Entrances to the dwelling, including paths from the
 23 dwelling to the street.

24 (2) Room dimensions.

25 (3) The width of exterior and interior doors.

26 (4) The width of interior hallways.

27 (5) The grade of interior thresholds and hallways.

28 (6) The height and location of environmental controls.

29 (7) The reinforcement of bathroom walls sufficient to attach
 30 grab bars.

31 SECTION 2. [EFFECTIVE UPON PASSAGE] (a) As used in this
 32 SECTION, "commission" refers to the fire prevention and building
 33 safety commission.

34 (b) The commission shall consider the following criteria in
 35 adopting standards under IC 22-13-4-7, as added by this act:

36 (1) Standards for an entrance to the dwelling unit that has the
 37 following features:

38 (A) The entrance is designed to:

39 (i) provide access to; and

40 (ii) be usable by;

41 people with physical disabilities.

42 (B) The entrance is designed:

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- 1 (i) without any steps; or
 2 (ii) with a rise that is not more than one-half (1/2) inch.
 3 (C) The entrance is located on a continuous unobstructed
 4 path from the entrance of the building that contains or
 5 consists of the dwelling unit to the street. The commission
 6 shall consider standards that make the path:
 7 (i) usable by a person who uses a wheelchair; and
 8 (ii) safe for and usable by people with other physical
 9 disabilities and people without physical disabilities.
 10 The commission's standards may include curb ramps,
 11 parking access aisles, walks, ramps, or lifts.
 12 (2) Standards for doors within the dwelling that are designed
 13 to allow passage for a person described in subdivision
 14 (1)(C)(i) and (1)(C)(ii). The commission shall consider
 15 standards that require a door to have an unobstructed
 16 opening of at least thirty-six (36) inches.
 17 (3) Standards for the location of environmental controls
 18 including the following:
 19 (A) Except as provided in clause (B), environmental
 20 controls that are located:
 21 (i) not higher than forty-eight (48) inches; and
 22 (ii) not lower than eighteen (18) inches;
 23 on a wall.
 24 (B) If environmental controls are located directly above a
 25 counter, sink, or appliance, the controls shall be located
 26 not higher than three (3) inches above the counter, sink, or
 27 appliance.
 28 (4) Standards for indoor rooms that:
 29 (A) have an area of not less than seventy (70) square feet;
 30 and
 31 (B) contain no side or dimension narrower than seven (7)
 32 feet.
 33 (5) Standards for a bathroom located on the first floor of the
 34 dwelling that contains at least a toilet, sink, and walls that
 35 may be reinforced later to allow for the installation of grab
 36 bars.
 37 (6) Standards for interior hallways that are level and at least
 38 thirty-six (36) inches wide.
 39 (c) The commission shall adopt rules under IC 4-22-2 as
 40 required under IC 22-13-4-7, as added by this act, not later than
 41 January 1, 2005.
 42 (d) This SECTION expires January 1, 2006.



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1 **SECTION 3. An emergency is declared for this act.**

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SENATE MOTION

Mr. President: I move that Senator Howard be added as coauthor of Senate Bill 354.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Commerce and Consumer Affairs, to which was referred Senate Bill No. 354, 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 2, line 13 after "section" insert ":

(1)".

Page 2, line 13, delete "in any" and insert "**by a**".

Page 2, line 14, delete "." and insert "**;** and

(2) may not be enforced by the department.".

and when so amended that said bill do pass.

(Reference is to SB 354 as introduced.)

SERVER, Chairperson

Committee Vote: Yeas 9, Nays 0.

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