

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

# HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 35 be amended to read as follows:

- 1 Page 3, between lines 31 and 32, begin a new paragraph and insert:
- 2 "SECTION 2. IC 36-7-8-3 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 3. (a) The legislative
- 4 body of a county having a county department of buildings or joint
- 5 city-county building department may, by ordinance, adopt building,
- 6 heating, ventilating, air conditioning, electrical, plumbing, and
- 7 sanitation standards for unincorporated areas of the county. These
- 8 standards take effect only on the legislative body's receipt of written
- 9 approval from the fire prevention and building safety commission.
- 10 (b) **Except as provided in subsection (d)**, an ordinance adopted
- 11 under this section must be based on occupancy, and it applies to:
- 12 (1) the construction, alteration, equipment, use, occupancy,
- 13 location, and maintenance of buildings, structures, and
- 14 appurtenances that are on land or over water and are:
- 15 (A) erected after the ordinance takes effect; and
- 16 (B) if expressly provided by the ordinance, existing when the
- 17 ordinance takes effect;
- 18 (2) conversions of buildings and structures, or parts of them, from
- 19 one occupancy classification to another; and
- 20 (3) the movement or demolition of buildings, structures, and
- 21 equipment for the operation of buildings and structures.
- 22 (c) The rules of the fire prevention and building safety commission
- 23 are the minimum standards upon which ordinances adopted under this
- 24 section must be based.
- 25 (d) An ordinance adopted under this section does not apply to a

1 private ~~homes~~ **home** that ~~are~~ **is** built by ~~individuals~~ **an individual** and  
2 used for ~~their~~ **the individual's** own occupancy. **A private home**  
3 **consists of:**  
4 **(1) a house; and**  
5 **(2) any accessory building or structure:**  
6 **(A) attached to the house or located on the same lot as the**  
7 **house; and**  
8 **(B) used incidentally to the house."**  
9 Renumber all SECTIONS consecutively.  
(Reference is to ESB 35 as printed February 24, 2006.)

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Representative Thompson