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# HOUSE BILL No. 1384

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 13-11-2; IC 13-18-3; IC 25-28.5-1-21.1.

**Synopsis:** Plumbing matters. Requires the water pollution control board to adopt rules establishing testing requirements and procedures for backflow prevention devices contained in a customer service line. Requires continuing professional education for an Indiana registered cross-connection control inspector. Requires continuing professional education for journeyman plumbers.

**Effective:** July 1, 2011.

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### Niezgodski

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January 18, 2011, read first time and referred to Committee on Environmental Affairs.

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First Regular Session 117th General Assembly (2011)

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 2010 Regular Session of the General Assembly.

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## HOUSE BILL No. 1384



A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

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

1 SECTION 1. IC 13-11-2-16.7 IS ADDED TO THE INDIANA  
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2011]: **Sec. 16.7. "Backflow", for purposes**  
4 **of IC 13-18-3-15, means the flow of any foreign liquid, gas, or**  
5 **substance into the distributing pipelines of a potable supply of**  
6 **water.**

7 SECTION 2. IC 13-11-2-48.5 IS ADDED TO THE INDIANA  
8 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
9 [EFFECTIVE JULY 1, 2011]: **Sec. 48.5. "Cross-connection", for**  
10 **purposes of IC 13-18-3-16, means any physical arrangement,**  
11 **including cross-connection control devices not in working order,**  
12 **whereby a water supply distribution system is directly connected,**  
13 **either continuously or intermittently, with any secondary source of**  
14 **supply, sewer, drain, conduit, pool, piping, storage reservoir,**  
15 **plumbing fixture, or other device that contains, or may contain,**  
16 **and is capable of imparting to the water supply, contaminants,**  
17 **contaminated water, sewage, or other waste or liquid of unknown**



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or unsafe quality.

SECTION 3. IC 13-18-3-15 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: **Sec. 15. The water pollution control board shall adopt rules under IC 4-22-2 to establish testing requirements and procedures for backflow prevention devices contained in a pipeline from the public water supply to the:**

- (1) first tap, fixture, receptacle, or other point of customer water use; or
- (2) secondary source of supply or pipeline branch in a building.

SECTION 4. IC 13-18-3-16 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: **Sec. 16. (a) The commissioner shall recognize, approve, and administer continuing professional education programs for persons who are registered as Indiana registered cross-connection control inspectors under 327 IAC 8-10-11 (as in effect January 1, 2011).**

**(b) A person who is registered as an Indiana registered cross-connection control inspector under 327 IAC 8-10-11 (as in effect January 1, 2011) must complete at least two (2) hours of continuing professional education every two (2) years. The two (2) hours of education must be in the subjects of:**

- (1) health protection issues or code requirements relating to the use of backflow devices; or
- (2) installation, repair, maintenance, or inspection of backflow prevention devices.

**For credit to be given, a course must be approved by the commissioner.**

**(c) Instruction under subsection (b) may include:**

- (1) cross-connection identification, degree of hazard, prevention, control devices, and practices;
- (2) cross-connection assembly field test procedures and gauge accuracy verification; and
- (3) cross-connection inspection, repair, and maintenance.

**(d) The water pollution control board shall adopt rules under IC 4-22-2 to establish the criteria for the continuing professional education. Courses may have commercial sponsors; however, a course may not include promotion of products or services of any particular firm or manufacturer.**

**(e) A person may receive credit for participating in a continuing professional education program or course only if the program or**

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course meets the requirements of subsections (b) and (c).

(f) The water pollution control board may, by rule, exempt certain persons from the requirements of this section if the water pollution control board determines that the exemption is in the public interest.

(g) The commissioner shall revoke the registration number of an Indiana registered cross-connection control inspector issued under 327 IAC 8-10-11 (as in effect January 1, 2011) unless the person shows compliance with this section by providing the department documentation of course attendance, course name, course number, content, and teacher. Falsification or misstatement of continuing professional education information is grounds to revoke a registration number of an Indiana registered cross-connection control inspector.

SECTION 5. IC 25-28.5-1-21.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 21.1. (a) The commission shall recognize, approve, and administer continuing professional education programs for persons who hold licenses as journeyman plumbers under this article.

(b) A person who holds a journeyman plumber license under this article must complete at least two (2) hours of continuing professional education every two (2) years. The two (2) hours must be in the subjects of health protection, energy conservation, job safety, code requirements, and water conservation. For credit to be given, a course must be approved by the commission and be consistent with instruction areas related to plumbing, heating, air conditioning, fire sprinkler contracting, or inspecting. Instruction may include:

- (1) the technical and practical aspects of the analysis of plans and specifications;
- (2) estimating costs;
- (3) fundamentals of installation and design, equipment, duct and pipe sealing, and National Fire Prevention Association (NFPA) code requirements;
- (4) fire hazards; and
- (5) other subjects relating to:
  - (A) engaging in business as a plumbing, heating, fuel piping, or fire sprinkler contractor; or
  - (B) fire sprinkler systems, plumbing, or heating.

Courses may also include business ethics, taxation, payroll, cash management, bid and contract preparation, customer relations, or

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similar subjects related to plumbing or heating contracting.

(c) The commission shall adopt rules under IC 4-22-2 to establish the criteria for the continuing professional education. Courses may have commercial sponsors. However, a course may not include promotion of products or services of any particular firm or manufacturer. Correspondence courses, home study, and license examination preparation are encouraged.

(d) A person may receive credit for participating in a continuing professional education program or course only if the program or course is provided:

(1) by an individual, business, or association approved by the commission; and

(2) according to criteria adopted by the commission.

(e) The commission may, by rule, exempt certain persons from the requirements of this section if the commission determines that the exemption is in the public interest.

(f) A license under this article may not be renewed unless the applicant for renewal shows compliance with this section by providing the commission documentation of course attendance, course name, course number, content, and teacher. Falsification or misstatement of continuing professional education information is grounds for failure to renew a license and disciplinary action, including revocation or suspension of a license.

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