

# SENATE BILL No. 327

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## DIGEST OF INTRODUCED BILL

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

**Synopsis:** Building standards. Provides that a county department of buildings or a joint city-county building department has the exclusive authority to enforce the standards adopted for the unincorporated areas of the county.

**Effective:** July 1, 2013.

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January 8, 2013, read first time and referred to Committee on Local Government.

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First Regular Session 118th General Assembly (2013)

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 2012 Regular Session of the General Assembly.

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# SENATE BILL No. 327



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, 2013]: 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. **A county department  
9 of buildings or a joint city-county building department has the  
10 exclusive authority to enforce the standards adopted for the  
11 unincorporated areas of the county under this section. No other  
12 department or agency has the authority to enforce the standards  
13 in the unincorporated areas of the county.**

14 (b) An ordinance adopted under this section must be based on  
15 occupancy, and it applies to:

16 (1) the construction, alteration, equipment, use, occupancy,  
17 location, and maintenance of buildings, structures, and



1 appurtenances that are on land or over water and are:  
2 (A) erected after the ordinance takes effect; and  
3 (B) if expressly provided by the ordinance, existing when the  
4 ordinance takes effect;  
5 (2) conversions of buildings and structures, or parts of them, from  
6 one occupancy classification to another; and  
7 (3) the movement or demolition of buildings, structures, and  
8 equipment for the operation of buildings and structures.  
9 (c) The rules of the fire prevention and building safety commission  
10 are the minimum standards upon which ordinances adopted under this  
11 section must be based.  
12 (d) An ordinance adopted under this section does not apply to  
13 private homes that are built by individuals and used for their own  
14 occupancy.

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