



Reprinted
February 1, 2013

SENATE BILL No. 242

DIGEST OF SB 242 (Updated January 31, 2013 2:02 pm - DI 71)

Citations Affected: IC 6-6; IC 10-14; IC 10-15; IC 22-12; IC 22-14; IC 36-8.

Synopsis: Homeland security matters. Provides that the emergency response commission may withhold funding from a local emergency planning committee for failing to provide proof that each committee member is properly trained in the code of ethics. Provides that a unit that requests assistance through the statewide mutual aid program (program) must: (1) provide a copy of the request to the state emergency operations center (emergency center) within 48 hours after making the request; and (2) state that the request is being made through the program. Provides that a unit that renders assistance through the program and seeks reimbursement must submit an itemized statement of expenses to the unit that receives the assistance not more than 30 days after the assistance is rendered. Requires a shipper of highway route controlled quantity (HRCQ) radioactive materials to obtain a shipping permit from and pay certain fees to the department of homeland security, and notify the emergency center of the shipment. Imposes a civil penalty on a shipper of HRCQ radioactive materials that fails to obtain a permit, pay a fee, or notify the emergency center. Deposits the fees and penalties in the nuclear response fund. Provides that money in the nuclear response fund may be to used to enforce provisions relating to the transportation of HRCQ radioactive materials.
(Continued next page)

Effective: Upon passage; July 1, 2013.

Wyss, Arnold J

January 7, 2013, read first time and referred to Committee on Homeland Security, Transportation and Veterans Affairs.
January 24, 2013, amended, reported favorably — Do Pass.
January 28, 2013, read second time, ordered engrossed. Engrossed.
January 29, 2013, read third time, call withdrawn. Returned to second reading.
January 31, 2013, re-read second time, amended, ordered engrossed.

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Digest Continued

(Under current law, money in the nuclear response fund may be used only to enforce provisions related to the transportation of radioactive waste.) Specifies the funding sources of the regional public safety training fund (training fund). Provides that certain money in the training fund must be used for fire investigation training. Requires the department of homeland security to transfer all money in the statewide arson investigation financial assistance fund (arson fund) to the training fund. Provides that the statute establishing the arson fund expires July 1, 2013. Provides that the board of firefighting personnel standards and education may adopt emergency rules concerning the adoption of the standards of the National Fire Protection Association. Establishes notice and hearing requirements and expiration dates for the emergency rules. Makes a technical correction.

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Reprinted
February 1, 2013

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. 242

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

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

- 1 SECTION 1. IC 6-6-10-9, AS AMENDED BY P.L.45-2012,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2013]: Sec. 9. (a) The emergency response commission may
4 withhold a local emergency planning committee's funding for failure
5 to provide annually to the commission one (1) of the following:
6 (1) The report required under section 8 of this chapter.
7 (2) Proof of published legal notice required under SARA.
8 (3) An updated version of the local emergency planning
9 committee's emergency preparedness plan as required under
10 SARA.
11 (4) A copy of the current bylaws of the local emergency planning
12 committee as required by SARA.
13 (5) Evidence of an exercise of the response plan required under
14 SARA.
15 (6) A roster of the current membership of the local emergency

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1 planning committee as required under IC 13-25-1-6(b)(2).

2 (7) Minutes of the local emergency planning committee meetings
3 conducted at least two (2) times, on separate days, every six (6)
4 months as required under IC 13-25-1-6(b)(3).

5 **(8) Proof that each committee member is properly trained in**
6 **the code of ethics as required under IC 4-2-7-3(7).**

7 (b) If the commission withholds funding under subsection (a), and
8 notwithstanding section 7(a)(1) of this chapter, the commission may
9 use the balance of the withheld funding for purposes of hazardous
10 material training, mitigation, preparedness, and recovery.

11 SECTION 2. IC 10-14-3-10.6, AS AMENDED BY P.L.29-2011,
12 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
13 UPON PASSAGE]: Sec. 10.6. (a) As used in this section, "participating
14 unit" refers to a unit that does not opt out under subsection (c) from
15 participating in the statewide mutual aid program.

16 (b) As used in this section, "unit" means the following:

- 17 (1) A unit (as defined in IC 36-1-2-23).
- 18 (2) A fire protection district established under IC 36-8-11.
- 19 (3) A provider unit (as defined in IC 36-8-19-3) acting on behalf
20 of a fire protection territory established under IC 36-8-19.
- 21 (4) A fire department established by the board of trustees of a
22 state educational institution (as defined in IC 21-7-13-32),
23 including a fire department established by the board of trustees of
24 Purdue University under IC 21-39-7.

25 (c) A unit may choose not to participate in the statewide mutual aid
26 program if the unit:

- 27 (1) adopts an ordinance or a resolution declaring that the unit will
28 not participate in the statewide mutual aid program; and
- 29 (2) provides a copy of the ordinance or resolution to:
30 (A) the local emergency management organization that serves
31 the unit; and
32 (B) the department.

33 (d) Each participating unit shall establish an incident management
34 system and a unified command system to be used in a response to a
35 disaster or an emergency.

36 (e) A participating unit may request the assistance of at least one (1)
37 other participating unit to:

- 38 (1) manage disaster response or recovery; or
- 39 (2) conduct disaster response or recovery related exercises,
40 testing, or training.

41 **The participating unit that requests assistance shall provide a copy**
42 **of the request to the emergency operations center within the**

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1 **division of emergency response and recovery not more than**
 2 **forty-eight (48) hours after making the request.**

3 (f) A request for assistance to a participating unit under subsection
 4 (e) shall be made by and to the executive of the unit or the executive's
 5 authorized representative. A request may be oral or in writing. A
 6 written request shall be made on forms developed by the department.
 7 An oral request shall be confirmed in writing not later than twenty-four
 8 (24) hours after the oral request is made.

9 (g) A request must include the following information:

10 (1) A description of the disaster response and recovery functions
 11 for which assistance is needed, including the following:

- 12 (A) Fire.
- 13 (B) Law enforcement.
- 14 (C) Emergency medical.
- 15 (D) Transportation.
- 16 (E) Communications.
- 17 (F) Public works and engineering.
- 18 (G) Building inspection.
- 19 (H) Planning and information assistance.
- 20 (I) Mass care.
- 21 (J) Resource support.
- 22 (K) Health and other medical services.
- 23 (L) Search and rescue.

24 (2) The amount and type of services, equipment, supplies,
 25 materials, personnel, and other resources needed and a reasonable
 26 estimate of the length of time they will be needed.

27 (3) The specific place and time for staging of the assisting
 28 participating unit's provision of assistance and a point of contact
 29 at that location.

30 **(4) A statement that the request for assistance is being made**
 31 **through the statewide mutual aid program.**

32 (h) A participating unit that is requested to render assistance shall
 33 take the necessary action to provide and make available the requested
 34 services, equipment, supplies, materials, personnel, and other
 35 resources.

36 (i) A participating unit's obligation to provide assistance is subject
 37 to the following restrictions:

38 (1) A participating unit's request to receive assistance is effective
 39 only:

- 40 (A) upon declaration of a local disaster emergency by the
 41 **principal** executive officer of the unit under section 29 of this
 42 chapter; or

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1 (B) upon the commencement of the exercises, testing, or
 2 training.
 3 (2) The assistance shall continue as long as:
 4 (A) the state of emergency remains in effect and the loaned
 5 resources are required by the receiving participating unit or the
 6 loaned resources remain in the receiving participating unit; or
 7 (B) the exercises, testing, or training is in progress.
 8 (3) The participating unit rendering the assistance may withhold
 9 resources or recall loaned resources to the extent necessary to
 10 provide for the participating unit's own reasonable protection.
 11 (4) Emergency forces providing assistance shall continue under
 12 the command and control of their regular leaders, but
 13 operationally those forces shall be under the control of the
 14 incident commander or unified commander designated by the
 15 requesting participating unit.
 16 SECTION 3. IC 10-14-3-10.7, AS AMENDED BY P.L.19-2010,
 17 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 UPON PASSAGE]: Sec. 10.7. (a) As used in this section, "participating
 19 unit" has the meaning set forth in section 10.6(a) of this chapter.
 20 (b) Each participating unit shall provide for the payment of
 21 compensation and benefits to:
 22 (1) an injured member; and
 23 (2) a representative of a deceased member;
 24 of the participating unit's emergency forces if the member is injured or
 25 killed while rendering assistance under section 10.6 of this chapter in
 26 the same manner and on the same terms as if the injury or death were
 27 sustained while the member was rendering assistance for or within the
 28 member's own unit. Expenses incurred under this subsection are not
 29 reimbursable under subsection (c).
 30 (c) A participating unit ~~rendering that complies with subsection~~
 31 **(h) and renders** assistance for disaster response or recovery to another
 32 participating unit under section 10.6 of this chapter shall be reimbursed
 33 by the participating unit receiving the assistance for the following:
 34 (1) A loss of, damage to, or expense incurred in the operation of
 35 any equipment in answering the request for assistance, to the
 36 extent the loss, damage, or expense is not covered by a
 37 reimbursement from insurance to the participating unit rendering
 38 assistance.
 39 (2) An expense incurred in the provision of a service in answering
 40 the request for assistance, to the extent the expense is not covered
 41 by a reimbursement from insurance to the participating unit
 42 rendering assistance.

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- 1 (3) An expense incurred in answering the request for assistance,
- 2 to the extent the expense is not covered by a reimbursement from
- 3 insurance to the participating unit rendering assistance.
- 4 (4) An amount equal to the deductible portion of an insurance
- 5 policy used to reimburse all or part of an expense or other cost
- 6 described in subdivisions (1) through (3).
- 7 (d) Except as provided by an agreement entered into under
- 8 subsection (e), the following labor and equipment reimbursement rates
- 9 apply to reimbursement under subsection (c):
- 10 (1) The labor reimbursement rates are as follows:
- 11 (A) The straight time costs of the labor force of the
- 12 participating unit rendering assistance shall be reimbursed at
- 13 the normal pay rates for responding personnel.
- 14 (B) The overtime costs of the labor force of the participating
- 15 unit rendering assistance shall be reimbursed at one hundred
- 16 fifty percent (150%) of the normal pay rates for the responding
- 17 personnel if it is the normal practice of the requesting unit to
- 18 pay these personnel overtime.
- 19 (2) The equipment reimbursement rates are the lesser of the
- 20 following:
- 21 (A) The rates for equipment costs reimbursement established
- 22 by the Federal Emergency Management Agency or its
- 23 successor agency.
- 24 (B) The equipment costs established by the participating unit
- 25 rendering assistance.
- 26 (e) At least two (2) participating units may enter into agreements
- 27 establishing a different allocation of loss, damage, expense, or costs
- 28 among themselves than that specified in subsections (c) and (d).
- 29 (f) Officers and employees of a participating unit rendering
- 30 assistance to another participating unit under this section shall be
- 31 considered agents of the requesting participating unit for the purpose
- 32 of tort liability and immunity.
- 33 (g) This section does not prevent any participating unit from
- 34 entering into a mutual aid or other agreement with another unit, fire
- 35 protection district, or provider unit (as defined in IC 36-8-19-3) acting
- 36 on behalf of a fire protection territory, or affect any other agreement to
- 37 which a unit, a fire protection district, or a fire protection territory is a
- 38 party, including an agreement entered into under this chapter or
- 39 IC 36-1-7.
- 40 (h) **A participating unit rendering assistance that seeks**
- 41 **reimbursement under subsection (c) must submit to the**
- 42 **participating unit receiving assistance, not more than thirty (30)**

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1 **days after the date on which the assistance is rendered, an itemized**
 2 **statement of the expenses described in subsection (c) for which the**
 3 **participating unit rendering assistance seeks reimbursement.**

4 SECTION 4. IC 10-14-8-3, AS AMENDED BY P.L.26-2010,
 5 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2013]: Sec. 3. (a) Before a person may transport high level
 7 radioactive waste in Indiana, the shipper must submit the following to
 8 the director:

9 (1) An appropriate permit issued under section 2.9 of this chapter.

10 (2) The following fees:

11 (A) For each truck shipment, two thousand five hundred
 12 dollars (\$2,500) per truck.

13 (B) For each rail shipment:

14 (i) four thousand five hundred dollars (\$4,500) for the first
 15 cask; and

16 (ii) three thousand dollars (\$3,000) for ~~the second and each~~
 17 ~~additional casks.~~ **cask.**

18 (b) The director shall deposit fees collected under this section in the
 19 nuclear response fund established by section 6 of this chapter.

20 (c) As used in this section, "cask" means a heavily shielded
 21 container:

22 (1) used for the shipment of radioactive materials, including high
 23 level radioactive waste and spent nuclear fuel; and

24 (2) whose design is approved by the United States Nuclear
 25 Regulatory Commission.

26 SECTION 5. IC 10-14-8-6, AS AMENDED BY P.L.26-2010,
 27 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2013]: Sec. 6. (a) The nuclear response fund is established to:

29 (1) provide appropriate education, training, and equipment to
 30 state and local emergency responders:

31 (A) that respond to a release of radioactive waste **or materials**
 32 **caused by or during the transportation of radioactive waste or**
 33 **materials** under this chapter; and

34 (B) to prevent, prepare for, and respond to acts of terrorism;
 35 and

36 (2) otherwise enforce this chapter **and IC 10-14-9.**

37 (b) Sources of money for the fund consist of transportation fees
 38 deposited under section 3(b) or 3.1(b) of this chapter, **fees received**
 39 **under IC 10-14-9-7(b), and civil penalties deposited under**
 40 **IC 10-14-9-8(c).**

41 (c) The department of homeland security shall administer the fund.
 42 Money in the fund is annually appropriated to the department of

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1 homeland security to be used for purposes described in subsection (a).

2 (d) The expenses of administering the fund shall be paid from
3 money in the fund.

4 (e) The treasurer of state shall invest the money in the fund not
5 currently needed to meet the obligations of the fund in the same
6 manner as other public funds may be invested.

7 (f) Money in the fund at the end of a fiscal year does not revert to
8 the state general fund.

9 SECTION 6. IC 10-14-9 IS ADDED TO THE INDIANA CODE AS
10 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
11 1, 2013]:

12 **Chapter 9. Transportation of Highway Route Controlled**
13 **Quantity Radioactive Material**

14 **Sec. 1. As used in this chapter, "cask" has the meaning set forth**
15 **in IC 10-14-8-3(c).**

16 **Sec. 2. As used in this chapter, "highway route controlled**
17 **quantity (HRCQ) radioactive material" means a quantity within**
18 **a single package that exceeds the least of the following:**

19 (1) For special form Class 7 (radioactive) material, three
20 thousand (3,000) times the A_1 value of the radionuclides listed
21 in 49 CFR 173.435.

22 (2) For normal form Class 7 (radioactive) material, three
23 thousand (3,000) times the A_2 value of the radionuclides listed
24 in 49 CFR 173.435.

25 (3) One thousand (1,000) TBq (27,000 Ci).

26 **Sec. 3. As used in this chapter, "licensee" has the meaning set**
27 **forth in IC 10-14-8-2.3.**

28 **Sec. 4. As used in this chapter, "nuclear response fund" refers**
29 **to the nuclear response fund established by IC 10-14-8-6.**

30 **Sec. 5. As used in this chapter, "package" has the meaning set**
31 **forth in 49 CFR 173.403.**

32 **Sec. 6. As used in this chapter, "radionuclide" means an**
33 **unstable isotope of an element that emits radiation when it decays**
34 **or disintegrates.**

35 **Sec. 7. (a) A shipper who intends to ship HRCQ materials must**
36 **submit an application for a permit to the department of homeland**
37 **security in the form and manner prescribed by the department of**
38 **homeland security.**

39 (b) The department of homeland security may issue a permit to
40 a shipper that:

41 (1) submits a completed application under subsection (a); and

42 (2) pays a minimum fee as follows:



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- 1 (A) For each truck shipment, one thousand eight hundred
 2 dollars (\$1,800) per truck.
 3 (B) For each rail shipment:
 4 (i) one thousand three hundred dollars (\$1,300) for the
 5 first cask; and
 6 (ii) one hundred twenty-five dollars (\$125) for each
 7 additional cask.
 8 (c) The director:
 9 (1) shall deposit fees received under subsection (b) in the
 10 nuclear response fund; and
 11 (2) may increase a minimum fee under subsection (b)(2) if the
 12 increase:
 13 (A) applies uniformly across all fees; and
 14 (B) is limited to an amount necessary to cover the costs of
 15 administering this section.
 16 (d) A permit issued under subsection (b) must:
 17 (1) specify the purpose for which the permit is issued; and
 18 (2) contain an expiration date.
 19 (e) A shipper of HRCQ materials shall notify the state
 20 emergency operations center at least seven (7) business days before
 21 shipping the HRCQ materials.
 22 **Sec. 8. (a) A shipper that:**
 23 (1) is required to obtain a permit and pay a fee under section
 24 7 of this chapter; and
 25 (2) fails to obtain the permit or pay the fee;
 26 is subject to a civil penalty for each violation in an amount equal
 27 to two (2) times the applicable fee.
 28 (b) A shipper that fails to notify the state emergency operations
 29 center of a shipment of HRCQ materials under section 7(e) of this
 30 chapter is subject to a civil penalty in an amount equal to two (2)
 31 times the applicable fee for the shipment.
 32 (c) The director shall deposit a civil penalty received under this
 33 section in the nuclear response fund.
 34 SECTION 7. IC 10-15-3-12, AS AMENDED BY P.L.57-2008,
 35 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2013]: Sec. 12. (a) The regional public safety training fund is
 37 established for the purpose of providing regional and advanced training
 38 for public safety service providers, **including fire investigation**
 39 **training.** The fund shall be administered by the department shall
 40 administer the fund. The fund consists of the following:
 41 (1) Public safety fees deposited under IC 22-11-14-12(c)(1).
 42 (2) Money transferred from the statewide arson investigation



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1 financial assistance fund under IC 22-12-6-2(e) (before its
2 expiration).

3 **(3) Money appropriated to the fund by the general assembly.**

4 **(4) Donations, gifts, and money received from any other**
5 **source, including transfers from other funds or accounts.**

6 **Money described in subdivision (2) must be used for fire**
7 **investigation training.**

8 (b) The expenses of administering the fund shall be paid from
9 money in the fund.

10 (c) The treasurer of state shall invest the money in the fund not
11 currently needed to meet the obligations of the fund in the same
12 manner as other public money may be invested. Interest that accrues
13 from these investments shall be deposited in the fund.

14 (d) Money in the fund at the end of a state fiscal year does not revert
15 to the state general fund. Any amount remaining in the fund at the end
16 of a state fiscal year that has not been encumbered shall be transferred
17 to the fire training infrastructure fund established by IC 22-14-6-2.

18 SECTION 8. IC 22-12-6-2, AS AMENDED BY P.L.107-2007,
19 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
20 UPON PASSAGE]: Sec. 2. (a) The statewide arson investigation
21 financial assistance fund is established to provide resources to:

22 (1) prosecuting attorneys;

23 (2) local police departments;

24 (3) the state police department;

25 (4) arson task forces;

26 (5) fire departments that have arson investigating teams or arson
27 task forces; and

28 (6) the division of fire and building safety established by
29 IC 10-19-7-1 for purposes of fire investigation.

30 (b) The department shall administer the fund.

31 (c) The fund consists of money deposited in the fund by the
32 executive director of the department. The department, the state fire
33 marshal, and the division of fire and building safety may accept gifts
34 and grants from any source to be deposited in the fund and to be used
35 for the purposes of this section.

36 (d) Money in the fund at the end of a state fiscal year does not revert
37 to the state general fund.

38 **(e) Not later than June 30, 2013, the department shall transfer**
39 **all money in the fund to the regional public safety training fund**
40 **established by IC 10-15-3-12 to be used for fire investigation**
41 **training.**

42 **(f) This section expires July 1, 2013.**



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1 SECTION 9. IC 22-14-2-7, AS AMENDED BY P.L.2-2007,
2 SECTION 308, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) This section does not
4 limit the powers, rights, duties, and other responsibilities of municipal
5 or county governments or impose requirements affecting pension laws
6 or any other laws.

7 (b) This section does not require a member of a fire department to
8 be certified.

9 (c) The education board may:

10 (1) certify firefighting training and education programs that meet
11 the standards set by the education board;

12 (2) certify fire department instructors who meet the qualifications
13 set by the education board;

14 (3) direct research in the field of firefighting and fire prevention
15 and accept gifts and grants to direct this research;

16 (4) recommend curricula for advanced training courses and
17 seminars in fire science or fire engineering training to public and
18 private postsecondary educational institutions;

19 (5) certify fire service personnel and nonfire service personnel
20 who meet the qualifications set by the education board;

21 (6) require fire service personnel certified at any level to fulfill
22 continuing education requirements in order to maintain
23 certification;

24 (7) contract or cooperate with any person and adopt rules under
25 IC 4-22-2, **including emergency rules in the manner provided**
26 **under IC 4-22-2-37.1 and as authorized under IC 36-8-10.5-7,**
27 to carry out its responsibilities under this section; or

28 (8) grant a variance to a rule the education board has adopted.

29 (d) The education board may impose a reasonable fee for the
30 issuance of a certification described in subsection (c). The board shall
31 deposit the fee in the fire and building services fund established by
32 IC 22-12-6-1.

33 SECTION 10. IC 36-8-10.5-7, AS AMENDED BY P.L.1-2010,
34 SECTION 152, IS AMENDED TO READ AS FOLLOWS
35 [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) The education board shall
36 adopt rules under IC 4-22-2 establishing minimum basic training
37 requirements for full-time firefighters and volunteer firefighters,
38 subject to subsection (b) and section 7.5 of this chapter. The
39 requirements must include training in the following areas:

40 (1) Orientation.

41 (2) Personal safety.

42 (3) Forcible entry.

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- 1 (4) Ventilation.
- 2 (5) Apparatus.
- 3 (6) Ladders.
- 4 (7) Self-contained breathing apparatus.
- 5 (8) Hose loads.
- 6 (9) Streams.
- 7 (10) Basic recognition of special hazards.
- 8 (b) A person who fulfills the certification requirements for:
- 9 (1) Firefighter I, as described in 655 IAC 1-2.1-4; or
- 10 (2) Firefighter II, as described in 655 IAC 1-2.1-5;
- 11 is considered to comply with the requirements established under
- 12 subsection (a).
- 13 (c) In addition to the requirements of subsections (a) and (d), the
- 14 minimum basic training requirements for full-time firefighters and
- 15 volunteer firefighters must include successful completion of a basic or
- 16 inservice course of education and training on sudden infant death
- 17 syndrome that is certified by the Indiana emergency medical services
- 18 commission (created under IC 16-31-2-1) in conjunction with the state
- 19 health commissioner.
- 20 (d) In addition to the requirements of subsections (a) and (c), the
- 21 minimum basic training requirements for full-time and volunteer
- 22 firefighters must include successful completion of an instruction course
- 23 on vehicle emergency response driving safety. The education board
- 24 shall adopt rules under IC 4-22-2 to operate this course.
- 25 (e) In addition to the requirements of subsections (a), (c), and (d),
- 26 the minimum basic training requirements for full-time and volunteer
- 27 firefighters must include successful completion of a basic or inservice
- 28 course of education and training in interacting with individuals with
- 29 autism that is certified by the Indiana emergency medical services
- 30 commission (created under IC 16-31-2-1).
- 31 (f) **The education board may adopt emergency rules in the**
- 32 **manner provided under IC 4-22-2-37.1 concerning the adoption of**
- 33 **the most current edition of the following National Fire Protection**
- 34 **Association standards, subject to amendment by the board:**
- 35 (1) **NFPA 472.**
- 36 (2) **NFPA 1001.**
- 37 (3) **NFPA 1002.**
- 38 (4) **NFPA 1003.**
- 39 (5) **NFPA 1021.**
- 40 (6) **NFPA 1031.**
- 41 (7) **NFPA 1033.**
- 42 (8) **NFPA 1035.**

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- (9) NFPA 1041.
- (10) NFPA 1521.
- (11) NFPA 1670.

(g) Notwithstanding any provision in IC 4-22-2-37.1 to the contrary, an emergency rule described in subsection (f) expires on the earlier of the following dates:

(1) Two (2) years after the date on which the emergency rule is accepted for filing with the publisher of the Indiana Register.

(2) The date a permanent rule is adopted under this chapter.

(h) At least sixty (60) days before the education board adopts an emergency rule under subsection (f), the education board shall:

(1) notify the public of its intention to adopt an emergency rule by publishing a notice of intent to adopt an emergency rule in the Indiana Register; and

(2) provide a period for public hearing and comment for the proposed rule.

The publication notice described in subdivision (1) must include an overview of the intent and scope of the proposed emergency rule and the statutory authority for the rule.

SECTION 11. An emergency is declared for this act.

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COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Transportation and Veterans Affairs, to which was referred Senate Bill No. 242, 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 10, line 17, reset in roman "churches".

Page 10, line 17, after "churches" insert "**or**".

and when so amended that said bill do pass.

(Reference is to SB 242 as introduced.)

WYSS, Chairperson

Committee Vote: Yeas 9, Nays 0.

SENATE MOTION

Madam President: I move that Engrossed Senate Bill 242, which is eligible for third reading, be returned to second reading for purposes of amendment.

WYSS

SENATE MOTION

Madam President: I move that Senate Bill 242 be amended to read as follows:

Page 6, line 39, delete "IC 10-14-9-8(b)" and insert "**IC 10-14-9-7(b)**".

Page 9, line 1, delete "IC 22-12-6-2(d)" and insert "**IC 22-12-6-2(e)**".

Delete page 10.

Page 11, delete lines 1 through 11.

Page 11, line 36, after "rules" insert "**in the manner provided**".

Page 11, line 37, after "and" insert "**as authorized under**".

Page 12, line 42, after "rules" insert "**in the manner provided**".

Renumber all SECTIONS consecutively.

(Reference is to SB 242 as printed January 25, 2013.)

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SB 242—LS 6335/DI 103+



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