



APRIL 2026 FPBSC PROPOSAL

1. IDHS to act on all variance requests. Refer to Commission only as a last resort.

Reasons:

- a. To prepare IDHS for future workload by allowing us time to gauge necessary staffing and operations prior to being required to act on all variances.
- b. Reduce administrative workload of IDHS legal team in hosting meetings as currently down Director of Boards and Commissions and Deputy General Counsel who supported the FPBSC.
- c. Allow Commission to focus all efforts on addressing outstanding rulemakings.

2. Commission to only schedule meetings quarterly to meet statutory requirement, unless more meetings are required to address a rulemaking need.

Reasons:

- a. Reduce administrative workload of Commissioners and support staff for a body ultimately being dissolved next year.
- b. Remain flexible to advance rulemakings swiftly before rulemakings not able to advance without legislative approval.

3. Set a cutoff date of 12/31/2026 as the last date that a proposed rule will be attempted to be advanced by the Commission through rulemaking.

Reasons:

- a. Initiating rulemaking processes after this date will not provide sufficient time to finalize adoption of a rule prior to the freeze.
- b. If an emergency arises this can be reviewed on an ad hoc basis as there are ways emergency rules can be addressed in an expedited manner. However, we don't foresee this as something we would utilize.

4. Do not start any new "building code" rulemakings.

Reasons:

- a. IC 22-12-2.5-3 prohibits the commission from adopting more than 3 building codes during any twelve-month period. Moving forward with the building, fire and electrical code will put us at 3 building codes and assuming these become final rules by July 2026

(which won't happen) then the next time we could adopt a final rule for a building code would be July 2027 which is after the freeze.

- b. For codes that aren't considered building codes, the GAR, boiler rules, lift device rules, etc, the IDHS will prepare proposals, if desired, to submit to the FPBSC to advance the rulemakings prior to 12/31/26. The Commission meetings that are scheduled can be used as an opportunity for public and Commission input on the rules.