

This Code Bulletin addresses Indiana House Bill 1001, which **places a ban, effective after June 30, 2026, on enforcing codes and standards** pertaining to **Emergency Responder Communication Enhancement Systems (ERCES)** in Class 1 (Commercial and Multi-tenant Residential) buildings.

Indiana House Bill 1001 is a comprehensive housing deregulation bill addressing zoning reform, parking minimums, accessory dwelling units, fee caps, lot size restrictions, and other measures pertaining to housing. The ERCES amendment was added in the late stages of the legislative process.

- The bill was enrolled February 26, 2026 and placed on the Governor's desk March 2.
- Signed into law by Governor Braun on March 4, 2026.
- The ERCES ban does not allow for local opt-out common to other deregulatory provisions in the bill.

KEY ELEMENTS:

- **ERCES Enforcement Ban (Section 9, IC 22-13-2-3.7):** After June 30, 2026, no state agency or political subdivision may adopt or enforce any ordinance, resolution, regulation, rule, or policy requiring the installation of an ERCES or similar system in:
 - A new Class 1 structure; or
 - An existing Class 1 structure that is reconstructed, remodeled, or renovated.
- **Class 1 Definition (IC 22-12-1-4):** A Class 1 structure is broadly defined as a building used by the public, having three or more tenants, or having more than one employee. This covers commercial buildings statewide.
- **Existing Ordinances Voided:** Any ordinance, resolution, or regulation adopted before July 1, 2026 that conflicts with this prohibition is void. Municipalities, fire departments, and other local authorities may not maintain or enforce existing ERCES requirements.
- **No Local Opt-Out:** The ERCES ban is a flat prohibition. Fire departments, fire marshals, and municipal governments have zero discretion. Other deregulatory provisions in HB 1001 allow local governments to opt out by adopting their own ordinance. The ERCES and AFCI bans do not.
- **National Context:** ERCES requirements are part of the International Fire Code. *Indiana becomes the only state in the country that specifically bans enforcement of this life safety requirement.*

The bill also contains additional electrical and code-related provisions beyond ERCES. The following **arc-fault circuit interrupter (AFCI)** provision is included here because it shares the same no-opt-out structure as the ERCES ban.

- **AFCI Enforcement Ban (Section 8, IC 22-13-2-3.6):** The state, the commission, and other state agencies may not adopt rules requiring arc-fault circuit interrupters in a Class 2 structure or a building classified under the rules of the fire prevention and building safety commission as an R-2 occupancy that is constructed after June 30, 2026. Political subdivisions may not adopt or enforce ordinances requiring AFCI in such buildings.
- **AFCI Context:** Indiana was already one of only two states (with Michigan) without any AFCI requirements. HB 1001 escalates this from a code omission to a statutory prohibition — making it illegal for any level of government to adopt AFCI requirements. 48 states currently require AFCIs (source: NEMA, AFCISafety.org).

HOW THESE PROVISIONS WERE ADDED:

- HB 1001 was introduced on January 8, 2026 as a housing deregulation bill focused on zoning reform, parking minimums, accessory dwelling units, fee caps, and lot size restrictions. No mention of ERCES, AFCI, or emergency communications appeared in the introduced version or in either of the two House amendments.
- The bill passed the Senate Judiciary Committee 6-5 on February 19, 2026, with two Republicans joining all three Democrats in opposition. Public testimony was taken at this stage. The bill contained no ERCES or AFCI provisions.
- On or about February 23, 2026, **Senator Chris Garten** (R-District 45, Senate Majority Floor Leader) introduced Senate floor amendment AMS008, adding the ERCES and AFCI bans. There was no public hearing and no public safety stakeholder input on these provisions.
- The full Senate passed the amended bill 35-13. The House voted 72-21 to concur with Senate changes on February 26, 2026.
- The bill was enrolled February 26, 2026 and sent to Governor Mike Braun, who signed it into law on March 4, 2026.

STATUTE EXCERPTS:

Section 9 — ERCES Ban (IC 22-13-2-3.7)

Sec. 3.7. (a) After June 30, 2026, a state agency or a political subdivision may not adopt or enforce an ordinance, a resolution, a regulation, a rule, or a policy that requires the installation of an emergency responder communications enhancement system or a similar system in:

- (1) a new Class 1 structure; or
- (2) an existing Class 1 structure that is reconstructed, remodeled, or renovated.

(b) An ordinance, a resolution, or a regulation adopted by a political subdivision before July 1, 2026, that conflicts with subsection (a) is void.

Section 8 — AFCI Ban (IC 22-13-2-3.6)

Sec. 3.6. (a) After June 30, 2026, the state, the commission, and other state agencies established under this article may not adopt rules that require the installation of an arc-fault circuit interrupter in a Class 2 structure or a building classified under the rules of the fire prevention and building safety commission as an R-2 occupancy that is constructed after June 30, 2026.

(b) After June 30, 2026, a political subdivision may not adopt or enforce an ordinance, a resolution, a regulation, a rule, or a policy that requires the installation of an arc-fault circuit interrupter in a Class 2 structure or a building classified under the rules of the fire prevention and building safety commission as an R-2 occupancy that is constructed after June 30, 2026.

(c) An ordinance, a resolution, or a regulation adopted by a political subdivision before July 1, 2026, that conflicts with subsection (b) is void.

WHAT TO ASK YOUR AHJ:

The statute does not specifically address projects already in the pipeline. SBC recommends contacting your Authority Having Jurisdiction to clarify the following:

- What happens to projects already permitted with an ERCES requirement prior to June 30, 2026?
- What happens to projects with plans submitted for review that include ERCES prior to June 30, 2026?
- What is the status of existing ERCES systems already installed and operating?

REFERENCE:

- **Full bill text:** Indiana General Assembly — HB 1001 Enrolled Act
- **Amendment AMS008:** Filed by Senator Chris Garten, on or about February 23, 2026
- **International Fire Code:** ERCES requirements (Section 510)

ALSO MONITORING:

SBC will monitor the impact of Indiana **HB 1003**, which was passed by the legislature and sent to the Governor's desk. HB 1003 **repeals the Fire Prevention and Building Safety Commission** and requires codification of building and fire safety codes into statute. Whether nationally recognized standards will be incorporated is unknown. Standards at risk include NFPA 1221 (Emergency Services Communications Systems), NFPA 1225 (Emergency Services Communication), NFPA 70 (National Electrical Code), NFPA 72 (Fire Alarm and Signaling Code), and others. A separate advisory will follow as analysis is completed.

This Code Bulletin is provided for informational purposes. SBC recommends consulting with legal counsel for specific compliance questions.