

# SENATE BILL No. 390

---

## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 20-5-65.

**Synopsis:** School construction plans. Prohibits a school corporation from entering into a contract concerning plans and specifications prepared by an architect or engineer for the construction of a school building unless the contract includes a provision specifying that: (1) the plans and specifications are the joint property of the architect or engineer and the school corporation; and (2) the architect or engineer agrees that the plans and specifications will be filed with the office of the state building commissioner and may be used by any other school corporation without compensation to the architect or engineer. Provides that a school corporation must file a copy of the plans and specifications with the office of the state building commissioner. Requires the state building commissioner to make the plans available for inspection and copying by any school corporation.

**Effective:** July 1, 2004.

---

---

**Kenley**

---

---

January 12, 2004, read first time and referred to Committee on Governmental Affairs and Interstate Cooperation.

---

---

C  
O  
P  
Y



Second Regular Session 113th General Assembly (2004)

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 2003 Regular Session of the General Assembly.

C  
o  
p  
y

## SENATE BILL No. 390



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

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

1 SECTION 1. IC 20-5-65 IS ADDED TO THE INDIANA CODE AS  
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2004]:

4 **Chapter 65. Plans for School Building Construction**

5 **Sec. 1. This chapter applies to a contract entered into after June**  
6 **30, 2004, by a school corporation concerning plans and**  
7 **specifications prepared by an architect or engineer for the**  
8 **construction or reconstruction of a school building or facility.**

9 **Sec. 2. A school corporation may not enter into a contract**  
10 **described in section 1 of this chapter unless the contract includes**  
11 **a provision stating the following:**

12 **(1) The plans and specifications prepared by the architect or**  
13 **engineer for the school corporation:**

14 **(A) are joint property of the architect or engineer and the**  
15 **school corporation; and**

16 **(B) will be filed by the school corporation with the office of**  
17 **the state building commissioner, established by**



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

IC 22-15-2-1, under section 3 of this chapter for review and use by any other school corporation.

(2) The architect or engineer agrees that the plans and specifications prepared by the architect or engineer and filed with the office of the state building commissioner under section 3 of this chapter may be used by any other school corporation without compensation by the other school corporation to the architect or engineer.

Sec. 3. (a) A school corporation shall file a copy of all plans and specifications prepared under a contract described in section 1 of this chapter with the office of the state building commissioner.

(b) The office of the state building commissioner shall:

(1) retain the plans and specifications submitted under subsection (a) and make them available for inspection and copying by any school corporation; and

(2) classify the plans and specifications according to buildings and facilities of different:

(A) sizes, based upon pupil enrollment; and

(B) types, including grade levels.

Sec. 4. A school corporation that uses plans and specifications filed by another school corporation with the state building commissioner under section 3 of this chapter must have the plans and specifications reviewed and approved by an architect or engineer before the plans and specifications may be used in the construction of a school building or facility.

**C**  
**O**  
**P**  
**Y**

