

An Act

SENATE BILL 20-120

BY SENATOR(S) Danielson, Bridges, Fenberg, Ginal, Gonzales, Lee, Story, Todd, Winter, Garcia;
also REPRESENTATIVE(S) Sullivan, Bird, Buentello, Caraveo, Cutter, Duran, Esgar, Exum, Froelich, Garnett, Gonzales-Gutierrez, Gray, Herod, Hooton, Jackson, Jaquez Lewis, Kennedy, Kraft-Tharp, McCluskie, Melton, Michaelson Jenet, Sirota, Snyder, Tipper, Titone, Valdez A., Weissman, Woodrow, Young, Becker.

CONCERNING REQUIREMENTS FOR REGISTERED APPRENTICES.

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

SECTION 1. In Colorado Revised Statutes, 12-115-115, **amend** (3)(a); and **add** (3)(c), (4), (5), and (6), and (7) as follows:

12-115-115. Apprentices - supervision - registration - discipline - rules - repeal. (3) (a) Upon employing an ~~electrical~~ apprentice to work at the trade, the electrical contractor, within thirty days after the initial employment, shall register the apprentice with the board. The employer shall also REMOVE EACH APPRENTICE THAT IS NO LONGER EMPLOYED AS AN APPRENTICE FROM THE APPRENTICESHIP PROGRAM AND ANNUALLY notify the board ~~within thirty days after~~ OF the termination of the employment.

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

(c) BY JANUARY 1, 2022, AND BY JANUARY 1 EACH YEAR THEREAFTER, AN ELECTRICAL CONTRACTOR, AN APPRENTICESHIP PROGRAM REGISTERED WITH THE UNITED STATES DEPARTMENT OF LABOR'S EMPLOYMENT AND TRAINING ADMINISTRATION, AND A STATE APPRENTICESHIP COUNCIL RECOGNIZED BY THE UNITED STATES DEPARTMENT OF LABOR THAT EMPLOYS AN APPRENTICE IN THIS STATE SHALL REPORT TO THE BOARD THE NAME AND CONTACT INFORMATION OF EACH APPRENTICE IN THE APPRENTICESHIP PROGRAM AND THE CUMULATIVE NUMBER OF PRACTICAL TRAINING HOURS AND CERTIFIED CLASSROOM HOURS EACH APPRENTICE HAS COMPLETED TOWARD THE JOURNEYMAN ELECTRICIAN LICENSURE REQUIREMENTS SPECIFIED IN SECTION 12-115-110. THE BOARD SHALL KEEP THE INFORMATION REPORTED PURSUANT TO THIS SUBSECTION (3)(c) CONFIDENTIAL FROM ALL PARTIES OTHER THAN FROM THE APPRENTICE THROUGH THE APPRENTICE'S INDIVIDUAL REGISTRATION ACCOUNT. THE DEPARTMENT OF REGULATORY AGENCIES SHALL, IF EXISTING RESOURCES ARE AVAILABLE OR IF THE DEPARTMENT RECEIVES GIFTS, GRANTS, OR DONATIONS PURSUANT TO SUBSECTION (7) OF THIS SECTION, INDICATE WHETHER THE APPRENTICE HAS COMPLETED THE REQUIRED PRACTICAL TRAINING HOURS AND CLASSROOM HOURS IN THE DEPARTMENT OF REGULATORY AGENCY'S ONLINE APPRENTICESHIP DIRECTORY.

(4) ON AND AFTER JANUARY 1, 2021, CONTINGENT ON THE AVAILABILITY OF EXISTING RESOURCES WITHIN THE DEPARTMENT OR THE RECEIPT OF GIFTS, GRANTS, AND DONATIONS PURSUANT TO SUBSECTION (7) OF THIS SECTION:

(a) (I) AN APPRENTICE WHO HAS BEEN REGISTERED FOR AT LEAST SIX YEARS, HAS COMPLETED EIGHT THOUSAND HOURS OF PRACTICAL TRAINING, AND MEETS ALL OTHER JOURNEYMAN ELECTRICIAN LICENSE REQUIREMENTS SPECIFIED IN SECTION 12-115-110 SHALL TAKE THE JOURNEYMAN ELECTRICIAN LICENSE EXAMINATION AT LEAST EVERY THREE YEARS IN ALIGNMENT WITH THE LICENSE RENEWAL CYCLE UNTIL THE APPRENTICE RECEIVES A PASSING SCORE.

(II) IF AN APPRENTICE HAS FAILED TO PASS THE LICENSE EXAMINATION IN TWO CONSECUTIVE THREE-YEAR PERIODS, THE APPRENTICE MAY REQUEST AN EXEMPTION FROM THE BOARD FROM FUTURE EXAMINATION REQUIREMENTS. THE BOARD SHALL GRANT THE EXEMPTION IF THE BOARD DETERMINES THAT THE APPRENTICE HAS LEGITIMATE EDUCATIONAL OR

PROFESSIONAL CIRCUMSTANCES THAT JUSTIFY THE EXEMPTION. THE BOARD SHALL PROMULGATE RULES CONCERNING THE PROCESS OF REQUESTING AND APPROVING LICENSE EXAMINATION EXEMPTIONS.

(b) AN APPRENTICE WHO HAS BEEN REGISTERED FOR AT LEAST SIX YEARS AND WHO DOES NOT MEET THE JOURNEYMAN ELECTRICIAN LICENSE REQUIREMENTS SPECIFIED IN SECTION 12-115-110 SHALL TAKE THE JOURNEYMAN ELECTRICIAN LICENSE EXAMINATION AT LEAST ONCE EVERY THREE YEARS IN ALIGNMENT WITH THE LICENSE RENEWAL CYCLE UNTIL THE APPRENTICE RECEIVES A PASSING SCORE. ONCE THE APPRENTICE PASSES THE LICENSE EXAMINATION, THE APPRENTICE MUST MEET ALL OTHER JOURNEYMAN ELECTRICIAN LICENSE REQUIREMENTS SPECIFIED IN SECTION 12-115-110 BEFORE THE BOARD MAY ISSUE A JOURNEYMAN ELECTRICIAN LICENSE TO THE APPRENTICE.

(5) (a) IF THE CUMULATIVE TRAINING AND CLASSROOM HOURS OF AN APPRENTICE ARE NOT REPORTED AS REQUIRED BY SUBSECTION (3)(c) OF THIS SECTION OR IF AN APPRENTICE FAILS TO TAKE THE LICENSE EXAMINATION AS REQUIRED BY SUBSECTION (4) OF THIS SECTION, THE BOARD MAY SUSPEND THE APPRENTICE'S REGISTRATION UNTIL THE REQUIREMENTS ARE MET.

(b) IF AN APPRENTICE WHO IS REQUIRED TO TAKE THE LICENSE EXAMINATION PURSUANT TO SUBSECTION (4) OF THIS SECTION HAS A LEARNING DISABILITY, THE APPRENTICE, ELECTRICAL CONTRACTOR, OR APPRENTICESHIP PROGRAM MAY REQUEST THAT THE BOARD MAKE ACCOMMODATIONS FOR THE APPRENTICE TO TAKE THE EXAMINATION WITH THE APPROPRIATE LEVEL OF SUPPORT.

(6) (a) IF THE DEPARTMENT OF REGULATORY AGENCIES IS ABLE TO IMPLEMENT SUBSECTION (4) OF THIS SECTION, THE DEPARTMENT OF REGULATORY AGENCIES, IN CONSULTATION WITH THE BOARD, INDUSTRY STAKEHOLDERS, EXAMINATION PROCTORS, NATIONAL CODE ORGANIZATIONS, APPRENTICESHIP TRAINING COORDINATORS, AND THE DEPARTMENT OF LABOR AND EMPLOYMENT SHALL CONDUCT RESEARCH TO DETERMINE WHAT BARRIERS EXIST IN THE PREPARATION AND TAKING OF THE EXAMINATION PROVIDED FOR IN SECTION 12-115-110 FOR APPRENTICES FOR WHOM ENGLISH IS A SECOND LANGUAGE AND, ON OR BEFORE JANUARY 1, 2021, SHALL REPORT ITS FINDINGS, INCLUDING ANY LEGISLATIVE OR REGULATORY RECOMMENDATIONS, TO THE GENERAL ASSEMBLY.

(b) THIS SUBSECTION (6) IS REPEALED, EFFECTIVE JULY 1, 2021.

(7) THE DEPARTMENT MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS SECTION.

SECTION 2. In Colorado Revised Statutes, 12-155-124, add (3), (4), (5), (6), (7), and (8) as follows:

12-155-124. Apprentices - rules - repeal. (3) BY JULY 1, 2022, AND BY JULY 1 EACH YEAR THEREAFTER, A REGISTERED PLUMBING CONTRACTOR, AN APPRENTICESHIP PROGRAM REGISTERED WITH THE UNITED STATES DEPARTMENT OF LABOR'S EMPLOYMENT AND TRAINING ADMINISTRATION, AND A STATE APPRENTICESHIP COUNCIL RECOGNIZED BY THE UNITED STATES DEPARTMENT OF LABOR THAT EMPLOYS A PLUMBING APPRENTICE IN THIS STATE SHALL REPORT TO THE BOARD THE NAME AND CONTACT INFORMATION OF EACH PLUMBING APPRENTICE IN THE APPRENTICESHIP PROGRAM AND THE CUMULATIVE NUMBER OF PRACTICAL TRAINING HOURS EACH PLUMBING APPRENTICE HAS COMPLETED TOWARD THE LICENSURE REQUIREMENTS SPECIFIED IN SECTION 12-155-110. THE BOARD SHALL KEEP THE INFORMATION REPORTED PURSUANT TO THIS SUBSECTION (3) CONFIDENTIAL FROM ALL PARTIES OTHER THAN FROM THE PLUMBING APPRENTICE THROUGH THE PLUMBING APPRENTICE'S INDIVIDUAL REGISTRATION ACCOUNT. THE DEPARTMENT OF REGULATORY AGENCIES SHALL, IF EXISTING RESOURCES ARE AVAILABLE OR IF THE DEPARTMENT RECEIVES GIFTS, GRANTS, OR DONATIONS PURSUANT TO SUBSECTION (8) OF THIS SECTION, INDICATE WHETHER THE PLUMBING APPRENTICE HAS COMPLETED THE REQUIRED PRACTICAL TRAINING HOURS IN THE DEPARTMENT OF REGULATORY AGENCIES' ONLINE APPRENTICESHIP DIRECTORY.

(4) ON AND AFTER JULY 1, 2021, CONTINGENT ON THE AVAILABILITY OF EXISTING RESOURCES WITHIN THE DEPARTMENT OR THE RECEIPT OF GIFTS, GRANTS, AND DONATIONS PURSUANT TO SUBSECTION (8) OF THIS SECTION:

(a) (I) A PLUMBING APPRENTICE WHO HAS BEEN REGISTERED FOR AT LEAST SIX YEARS, HAS COMPLETED SIX THOUSAND EIGHT HUNDRED HOURS OF PRACTICAL TRAINING, AND MEETS ALL OTHER LICENSE REQUIREMENTS SPECIFIED IN SECTION 12-155-110 SHALL TAKE THE LICENSE EXAMINATION AT LEAST EVERY TWO YEARS IN ALIGNMENT WITH THE LICENSE RENEWAL

CYCLE UNTIL THE PLUMBING APPRENTICE RECEIVES A PASSING SCORE.

(II) IF A PLUMBING APPRENTICE HAS FAILED TO PASS THE LICENSE EXAMINATION IN TWO CONSECUTIVE TWO-YEAR PERIODS, THE PLUMBING APPRENTICE MAY REQUEST AN EXEMPTION FROM THE BOARD FROM FUTURE EXAMINATION REQUIREMENTS. THE BOARD SHALL GRANT THE EXEMPTION IF THE BOARD DETERMINES THAT THE PLUMBING APPRENTICE HAS LEGITIMATE EDUCATIONAL OR PROFESSIONAL CIRCUMSTANCES THAT JUSTIFY THE EXEMPTION. THE BOARD SHALL PROMULGATE RULES CONCERNING THE PROCESS OF REQUESTING AND APPROVING LICENSE EXAMINATION EXEMPTIONS.

(b) A PLUMBING APPRENTICE WHO HAS BEEN REGISTERED FOR AT LEAST SIX YEARS AND WHO DOES NOT MEET THE LICENSE REQUIREMENTS SPECIFIED IN SECTION 12-155-110 SHALL TAKE THE LICENSE EXAMINATION AT LEAST ONCE EVERY TWO YEARS IN ALIGNMENT WITH THE LICENSE RENEWAL CYCLE UNTIL THE PLUMBING APPRENTICE RECEIVES A PASSING SCORE. ONCE THE PLUMBING APPRENTICE PASSES THE LICENSE EXAMINATION, THE APPRENTICE MUST MEET ALL OTHER LICENSE REQUIREMENTS SPECIFIED IN SECTION 12-155-110 BEFORE THE BOARD MAY ISSUE A LICENSE TO THE PLUMBING APPRENTICE.

(5) (a) IF THE CUMULATIVE TRAINING HOURS OF A PLUMBING APPRENTICE ARE NOT REPORTED AS REQUIRED BY SUBSECTION (3) OF THIS SECTION OR IF A PLUMBING APPRENTICE FAILS TO TAKE THE LICENSE EXAMINATION AS REQUIRED BY SUBSECTION (4) OF THIS SECTION, THE BOARD MAY SUSPEND THE PLUMBING APPRENTICE'S REGISTRATION UNTIL THE REQUIREMENTS ARE MET.

(b) IF A PLUMBING APPRENTICE WHO IS REQUIRED TO TAKE THE LICENSE EXAMINATION PURSUANT TO SUBSECTION (4) OF THIS SECTION HAS A LEARNING DISABILITY, THE PLUMBING APPRENTICE, PLUMBING CONTRACTOR, OR APPRENTICESHIP PROGRAM MAY REQUEST THAT THE BOARD MAKE ACCOMMODATIONS FOR THE PLUMBING APPRENTICE TO TAKE THE EXAMINATION WITH THE APPROPRIATE LEVEL OF SUPPORT.

(6) A REGISTERED PLUMBING CONTRACTOR, AN APPRENTICESHIP PROGRAM REGISTERED WITH THE UNITED STATES DEPARTMENT OF LABOR'S EMPLOYMENT AND TRAINING ADMINISTRATION, AND A STATE APPRENTICESHIP COUNCIL RECOGNIZED BY THE UNITED STATES

DEPARTMENT OF LABOR SHALL REMOVE EACH PLUMBING APPRENTICE THAT IS NO LONGER EMPLOYED AS AN APPRENTICE FROM THE APPRENTICESHIP PROGRAM AND ANNUALLY NOTIFY THE BOARD OF THE TERMINATION OF THE EMPLOYMENT.

(7) (a) IF THE DEPARTMENT OF REGULATORY AGENCIES IS ABLE TO IMPLEMENT SUBSECTION (4) OF THIS SECTION, THE DEPARTMENT OF REGULATORY AGENCIES, IN CONSULTATION WITH THE BOARD, INDUSTRY STAKEHOLDERS, EXAMINATION PROCTORS, NATIONAL CODE ORGANIZATIONS, APPRENTICESHIP TRAINING COORDINATORS, AND THE DEPARTMENT OF LABOR AND EMPLOYMENT SHALL CONDUCT RESEARCH TO DETERMINE WHAT BARRIERS EXIST IN THE PREPARATION AND TAKING OF THE EXAMINATION PROVIDED FOR IN SECTION 12-155-110 FOR PLUMBING APPRENTICES FOR WHOM ENGLISH IS A SECOND LANGUAGE AND, ON OR BEFORE JANUARY 1, 2021, SHALL REPORT ITS FINDINGS, INCLUDING ANY LEGISLATIVE OR REGULATORY RECOMMENDATIONS, TO THE GENERAL ASSEMBLY.

(b) THIS SUBSECTION (7) IS REPEALED, EFFECTIVE JULY 1, 2021.

(8) THE DEPARTMENT MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS SECTION.

SECTION 3. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in

November 2022 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.



Leroy M. Garcia
PRESIDENT OF
THE SENATE



KC Becker
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

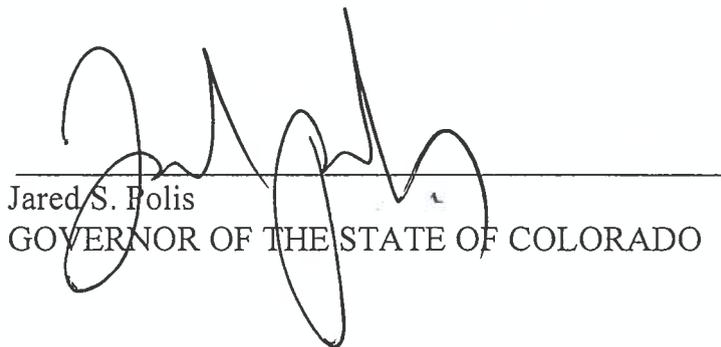


Cindi L. Markwell
SECRETARY OF
THE SENATE



Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED July 7, 2020 at 1:25 pm
(Date and Time)



Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO