

**Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 22-0282.01 Christy Chase x2008

HOUSE BILL 22-1346

HOUSE SPONSORSHIP

Duran and Mullica,

SENATE SPONSORSHIP

Danielson,

House Committees

Business Affairs & Labor
Finance

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING STATE REQUIREMENTS APPLICABLE TO CERTAIN**
102 **LICENSED CONSTRUCTION PROFESSIONALS, AND, IN CONNECTION**
103 **THEREWITH, REQUIRING THE STATE ELECTRICAL BOARD AND**
104 **THE STATE PLUMBING BOARD TO DIRECT ENFORCEMENT OF**
105 **STATE LICENSING AND SUPERVISOR-TO-APPRENTICE RATIO**
106 **REQUIREMENTS AND SPECIFYING WHO IS AUTHORIZED TO APPLY**
107 **FOR ELECTRICAL AND PLUMBING PERMITS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

Sections 2 and 6 of the bill authorize the director of the division of professions and occupations in the department of regulatory agencies to appoint or employ individuals who are licensed or, if not licensed, who demonstrate substantial work experience in the electrical, plumbing, or construction industry to:

- Conduct compliance checks to ensure compliance with licensing and supervisor-to-apprentice ratio requirements applicable to electricians and plumbers on projects throughout the state; and
- Prioritize for compliance checks projects that provide or will provide critical needs to state residents.

The bill also:

- Specifies that only a homeowner performing work on the homeowner's home or a licensed master electrician or plumber who is either a registered electrical or plumbing contractor or directly employed by a registered electrical or plumbing contractor may apply for an electrical or a plumbing permit (**sections 3 and 7**);
- Prohibits a licensed master electrician or plumber who is not a registered electrical or plumbing contractor and who is working as an independent contractor from applying for an electrical or a plumbing permit (**sections 3 and 7**) and makes a violation of this prohibition specific grounds for discipline by the electrical or plumbing board, as applicable (**sections 4 and 5**);
- Requires the entity issuing the permit to verify that the applicant meets the qualifications to apply for the permit (**sections 3 and 7**); and
- Requires inspecting entity procedures to include a provision allowing the inspecting entity to request worker documentation indicating compliance with worker license requirements and the supervisor-to-apprentice ratio (**sections 3 and 7**).

Additionally, current law specifies that a single licensed electrician or plumber may supervise no more than 3 apprentices on any one job site. For nonresidential electrical and plumbing work, **sections 1 and 8** reduce the supervisor-to-apprentice ratio to 1-to-2 starting July 1, 2025, and to 1-to-1 on and after July 1, 2028.

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

2



1 **SECTION 1.** In Colorado Revised Statutes, 12-115-119, **amend**
2 (1)(a)(II) and (2); and **add** (1)(a)(I.5) and (3) as follows:

3 **12-115-119. Inspectors - qualifications - enforcement of**
4 **licensing and apprentice-supervision-ratio requirements - rules -**
5 **legislative declaration - definitions - repeal.** (1) (a) (I.5) FOR PURPOSES
6 OF CONDUCTING COMPLIANCE CHECKS SPECIFIED IN SUBSECTION (3) OF
7 THIS SECTION, THE DIRECTOR SHALL APPOINT OR EMPLOY TWO
8 INDIVIDUALS TO CONDUCT THE COMPLIANCE CHECKS. THE DIRECTOR MAY
9 APPOINT OR EMPLOY INDIVIDUALS WHO ARE LICENSED UNDER THIS
10 ARTICLE 115 OR MAY APPOINT OR EMPLOY INDIVIDUALS WHO ARE NOT
11 LICENSED UNDER THIS ARTICLE 115 BUT WHO DEMONSTRATE SUBSTANTIAL
12 PRIOR WORK EXPERIENCE IN THE ELECTRICAL OR CONSTRUCTION
13 INDUSTRY. INDIVIDUALS APPOINTED OR EMPLOYED PURSUANT TO THIS
14 SUBSECTION (1)(a)(I.5) SHALL LIMIT THEIR ACTIVITIES TO CONDUCTING
15 COMPLIANCE CHECKS OF MATTERS SPECIFIED IN SAID SUBSECTION (3).

16 (II) ~~The~~ STATE ELECTRICAL inspectors AND INDIVIDUALS
17 PERFORMING COMPLIANCE CHECKS PURSUANT TO SUBSECTION (3) OF THIS
18 SECTION may be employed either on a full-time or on a part-time basis as
19 the circumstances in each case ~~shall~~ warrant; except that the director ~~of~~
20 ~~the division~~ may contract with any electrical inspector regularly engaged
21 as such and certify ~~him or her~~ THE ELECTRICAL INSPECTOR to make
22 inspections in a designated area at such compensation as ~~shall be~~ fixed by
23 the director. State electrical inspectors AND INDIVIDUALS PERFORMING
24 COMPLIANCE CHECKS PURSUANT TO SUBSECTION (3) OF THIS SECTION have
25 the right of ingress and egress to and from all public and private premises
26 during reasonable working hours where this ~~law~~ ARTICLE 115 applies for
27 the purpose of making electrical inspections, CONDUCTING COMPLIANCE

1 CHECKS PURSUANT TO SUBSECTION (3) OF THIS SECTION, or otherwise
2 determining compliance with ~~the provisions of~~ this article 115. In order
3 to avoid conflicts of interest, a state electrical inspector hired under this
4 section shall not inspect any electrical work in which the inspector has
5 any financial or other personal interest and shall not ~~be engaged~~ ENGAGE
6 in the electrical business by contracting, supplying material, or
7 performing electrical work. ~~as defined in this article 115.~~

8 (2) (a) State electrical inspectors appointed or employed pursuant
9 to subsection (1) of this section may:

10 (a) (I) Conduct inspections and investigations pursuant to section
11 12-115-122 (2) on behalf of the program director; AND

12 (b) (II) Provide service of process for a citation served pursuant
13 to section 12-115-122 (4)(b) in compliance with rule 4 of the Colorado
14 rules of civil procedure.

15 (b) INDIVIDUALS APPOINTED OR EMPLOYED PURSUANT TO
16 SUBSECTION (1)(a)(I.5) OF THIS SECTION WHO ARE NOT LICENSED MASTER
17 OR JOURNEYMAN ELECTRICIANS BUT WHO DEMONSTRATE SUBSTANTIAL
18 PRIOR WORK EXPERIENCE IN THE ELECTRICAL OR CONSTRUCTION
19 INDUSTRY MAY CONDUCT COMPLIANCE CHECKS PURSUANT TO SUBSECTION
20 (3) OF THIS SECTION.

21 (3) (a) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT IT IS
22 A MATTER OF STATEWIDE CONCERN TO PROTECT PUBLIC SAFETY AND
23 HEALTH BY ENSURING THAT INDIVIDUALS WHO PERFORM ELECTRICAL
24 WORK HAVE THE SKILLS NECESSARY TO PERFORM THE WORK. THE
25 GENERAL ASSEMBLY THEREFORE DETERMINES THAT BOARD ENFORCEMENT
26 OF THE LICENSING REQUIREMENTS IN THIS ARTICLE 115 AND THE LIMITS ON
27 THE NUMBER OF APPRENTICES A LICENSED ELECTRICIAN IS PERMITTED TO

1 SUPERVISE SPECIFIED IN SECTION 12-115-115 (1) IS ESSENTIAL TO PROTECT
2 PUBLIC SAFETY AND HEALTH.

3 (b) THE BOARD SHALL DIRECT INDIVIDUALS APPOINTED OR
4 EMPLOYED PURSUANT TO SUBSECTION (1)(a)(I.5) OF THIS SECTION TO:

5 (I) CONDUCT COMPLIANCE CHECKS TO ENSURE COMPLIANCE WITH
6 THE LICENSING AND SUPERVISOR-TO-APPRENTICE RATIO REQUIREMENTS
7 SPECIFIED IN THIS ARTICLE 115 ON PROJECTS THROUGHOUT THE STATE
8 WHERE ELECTRICAL WORK IS BEING PERFORMED, REGARDLESS OF
9 WHETHER THE PERMIT FOR THE ELECTRICAL WORK WAS ISSUED BY THE
10 BOARD, AN INCORPORATED TOWN OR CITY, A COUNTY, A CITY AND
11 COUNTY, OR A QUALIFIED STATE INSTITUTION OF HIGHER EDUCATION; AND

12 (II) PRIORITIZE FOR COMPLIANCE CHECKS PROJECTS THAT PROVIDE
13 OR WILL PROVIDE CRITICAL SERVICES TO RESIDENTS OF THE STATE.

14 (c) TO ENSURE COMPLIANCE WITH THE LICENSING AND
15 SUPERVISOR-TO-APPRENTICE RATIO REQUIREMENTS PURSUANT TO
16 SUBSECTION (3)(b)(I) OF THIS SECTION, INDIVIDUALS APPOINTED OR
17 EMPLOYED PURSUANT TO SUBSECTION (1)(a)(I.5) OF THIS SECTION SHALL
18 CONDUCT COMPLIANCE CHECKS AT PROJECTS THROUGHOUT THE STATE
19 WHERE ELECTRICAL WORK IS BEING PERFORMED TO ENSURE THAT:

20 (I) THE INDIVIDUAL PERFORMING THE ELECTRICAL WORK IS
21 LICENSED AS A MASTER ELECTRICIAN, JOURNEYMAN ELECTRICIAN, OR
22 RESIDENTIAL WIREMAN OR IS A REGISTERED APPRENTICE BEING DIRECTLY
23 SUPERVISED BY A LICENSED MASTER ELECTRICIAN, JOURNEYMAN
24 ELECTRICIAN, OR RESIDENTIAL WIREMAN; AND

25 (II) A MASTER ELECTRICIAN, JOURNEYMAN ELECTRICIAN, OR
26 RESIDENTIAL WIREMAN IS COMPLYING WITH THE LIMIT ON THE NUMBER OF
27 APPRENTICES THE ELECTRICIAN MAY SUPERVISE PER JOB SITE SPECIFIED IN

1 SECTION 12-115-115 (1).

2 (d) NOTHING IN THIS SUBSECTION (3) AFFECTS THE ABILITY OF A
3 LOCAL GOVERNMENT TO PERMIT OR INSPECT ELECTRICAL WORK IN
4 ACCORDANCE WITH SECTION 12-115-120 (1).

5 (e) AS USED IN THIS SUBSECTION (3):

6 (I) "LOCAL GOVERNMENT" MEANS AN INCORPORATED TOWN OR
7 CITY, A COUNTY, OR A CITY AND COUNTY.

8 (II) "PROJECT THAT PROVIDES OR WILL PROVIDE CRITICAL
9 SERVICES" MEANS A PROJECT INVOLVING THE ERECTION, CONSTRUCTION,
10 ALTERATION, REPAIR, OR IMPROVEMENT OF ANY PUBLIC STRUCTURE,
11 BUILDING, ROAD, OR OTHER PUBLIC IMPROVEMENT OF ANY KIND,
12 INCLUDING:

13 (A) A PUBLIC BUILDING;

14 (B) A PUBLIC SCHOOL OR INSTITUTION OF HIGHER EDUCATION;

15 (C) AN AIRPORT;

16 (D) A TRAIN STATION OR PUBLIC TRANSIT STATION;

17 (E) A HOSPITAL, NURSING FACILITY, ASSISTED LIVING RESIDENCE,
18 OR OTHER HEALTH-CARE FACILITY REQUIRED TO BE LICENSED OR
19 CERTIFIED BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
20 UNDER TITLE 25;

21 (F) A RENEWABLE ENERGY INSTALLATION OR A PROJECT OF A
22 UTILITY REGULATED BY THE PUBLIC UTILITIES COMMISSION PURSUANT TO
23 TITLE 40; AND

24 (G) ANY OTHER COMMERCIAL OR MULTIFAMILY RESIDENTIAL
25 PUBLIC PROJECT SPECIFIED BY THE BOARD BY RULE.

26 **SECTION 2.** In Colorado Revised Statutes, 12-115-120, **amend**
27 (1)(a), (2)(b), (3), (6), and (10)(b); and **add** (11) as follows:

1 **12-115-120. Inspection - electrical permits - application -**
2 **standard - definition.** (1) (a) (I) An individual required to have
3 electrical inspection under this article 115 shall apply to the board for an
4 electrical permit, REFERRED TO WITHIN THIS SECTION AS A "PERMIT",
5 except where an incorporated town or city, county, city and county, or
6 qualified state institution of higher education has a building department
7 that meets the minimum standards of this article 115 and that processes
8 applications for building permits and inspections, in which case the
9 individual shall apply to the building department.

10 (II) A qualified state institution of higher education with a
11 building department that meets or exceeds the minimum standards
12 adopted by the board under this article 115 shall process applications for
13 permits and inspections only from the institution and from contractors
14 working for the benefit of the institution and shall conduct inspections
15 only of work performed for the benefit of the institution. Each inspection
16 must include a contemporaneous review to ensure that the requirements
17 of this article 115, and specifically section 12-115-115, have been met.

18 (III) (A) ONLY A QUALIFIED APPLICANT MAY APPLY FOR A PERMIT.
19 A LICENSED MASTER ELECTRICIAN WHO IS NOT A REGISTERED ELECTRICAL
20 CONTRACTOR AND WHO IS OPERATING AS AN INDEPENDENT CONTRACTOR
21 FOR ANOTHER BUSINESS SHALL NOT APPLY FOR A PERMIT.

22 (B) BEFORE ISSUING A PERMIT PURSUANT TO THIS SUBSECTION (1),
23 THE BOARD OR, IF APPLICABLE, THE BUILDING DEPARTMENT OF AN
24 INCORPORATED TOWN OR CITY, COUNTY, CITY AND COUNTY, OR QUALIFIED
25 STATE INSTITUTION OF HIGHER EDUCATION SHALL VERIFY THAT THE
26 PERMIT APPLICANT IS A QUALIFIED APPLICANT.

27 (2) (b) A state electrical inspector shall inspect any new

1 construction, remodeling, or repair subject to this subsection (2) within
2 three working days after the receipt of the application for inspection. Prior
3 to the commencement of any electrical installation, the person making the
4 installation, WHO MUST BE A QUALIFIED APPLICANT, shall apply for ~~an~~
5 ~~electrical~~ A permit and pay the required permit fee.

6 (3) (a) A state electrical inspector shall inspect the work
7 performed, and, if the work meets the minimum standards set forth in the
8 national electrical code referred to in section 12-115-107 (2)(a), THE
9 INSPECTOR SHALL ISSUE a certificate of approval. ~~shall be issued by the~~
10 ~~inspector.~~

11 (b) (I) If the installation is disapproved, THE INSPECTOR SHALL
12 GIVE written notice ~~thereof together with~~ OF THE DISAPPROVAL AND OF the
13 reasons for the disapproval ~~shall be given by the inspector~~ to the
14 QUALIFIED applicant. If the installation is hazardous to life or property,
15 the inspector disapproving it may order the electrical service ~~thereto~~ TO
16 THE INSTALLATION discontinued until the installation is rendered safe and
17 shall send a copy of the notice of disapproval and order for
18 discontinuance of service to the supplier of electricity. The QUALIFIED
19 applicant may appeal the disapproval to the board, and THE BOARD shall
20 ~~be granted~~ GRANT a hearing ~~by the board~~ within seven days after notice
21 of appeal is filed with the board.

22 (II) After ~~removal of~~ REMOVING the cause of the disapproval, the
23 QUALIFIED applicant shall ~~make application~~ APPLY for reinspection in the
24 same manner as for the original inspection and pay the required
25 reinspection fee.

26 (6) (a) All ~~inspection~~ permits issued by the board ~~shall be~~ ARE
27 valid for a period of twelve months, and the board shall cancel the permit

1 and remove it from its files at the end of the twelve-month period, except
2 in the following circumstances:

3 (I) If ~~an~~ A QUALIFIED applicant ~~makes a showing~~ DEMONSTRATES
4 at the time of application for a permit that the electrical work is
5 substantial and is likely to take longer than twelve months, the board may
6 issue a permit to be valid for a period longer than twelve months, but not
7 exceeding three years.

8 (II) If the QUALIFIED applicant notifies the board prior to the
9 expiration of the twelve-month period of extenuating circumstances, as
10 determined by the board, during the twelve-month period, the board may
11 extend the validity of the permit for a period not to exceed six months.

12 (b) If A QUALIFIED APPLICANT REQUESTS an inspection ~~is requested~~
13 ~~by an applicant~~ after a permit has expired or has been canceled, THE
14 QUALIFIED APPLICANT MUST APPLY FOR AND BE ISSUED a new permit ~~must~~
15 ~~be applied for and granted~~ before an inspection is performed.

16 (10) (b) (I) To ensure that enforcement is consistent, timely, and
17 efficient, each entity, including the state, as described in this subsection
18 (10), shall develop standard procedures to advise its inspectors how to
19 conduct a contemporaneous review. Each entity's standard procedures
20 need not require a contemporaneous review for each and every inspection
21 of a project, but the procedures must preserve an inspector's ability to
22 verify compliance with sections 12-115-109 and 12-115-115 at any time.
23 Each entity's procedures must also include provisions that allow for
24 inspectors to:

25 (A) Conduct occasional, random, on-site inspections while actual
26 electrical work is being conducted, with a focus on large commercial and
27 multi-family residential projects permitted by the entity; AND

1 (B) REQUEST DOCUMENTATION INDICATING WHO PERFORMED THE
2 ELECTRICAL WORK TO ENSURE COMPLIANCE WITH SECTIONS 12-115-109
3 AND 12-115-115.

4 (II) Each entity, including the state, shall post its current
5 procedures regarding contemporaneous reviews in a prominent location
6 on its public website. Each entity shall provide a website link to or an
7 electronic copy of its procedures to the board, and the board shall post all
8 of the procedures on a single location on the department's website.

9 (11) AS USED IN THIS SECTION, "QUALIFIED APPLICANT" MEANS:

10 (a) A LICENSED MASTER ELECTRICIAN, INCLUDING A LICENSED
11 MASTER ELECTRICIAN WHO IS OPERATING AS A SOLE PROPRIETOR, SO LONG
12 AS THE LICENSED MASTER ELECTRICIAN IS ALSO A REGISTERED
13 ELECTRICAL CONTRACTOR;

14 (b) A LICENSED MASTER ELECTRICIAN WHO IS DIRECTLY EMPLOYED
15 BY A REGISTERED ELECTRICAL CONTRACTOR; OR

16 (c) A HOMEOWNER PERFORMING WORK ON THE HOMEOWNER'S
17 HOME.

18 **SECTION 3.** In Colorado Revised Statutes, 12-115-122, **add**
19 (1)(q) as follows:

20 **12-115-122. Violations - citations - settlement agreements -**
21 **hearings - fines - rules.** (1) The board may take disciplinary or other
22 action as authorized by section 12-20-404 in regard to any license or
23 registration issued or applied for under the provisions of this article 115
24 or may issue a citation to a licensee, registrant, or applicant for licensure
25 for any of the following reasons:

26 (q) APPLYING FOR AN ELECTRICAL PERMIT PURSUANT TO SECTION
27 12-115-120 (1) IF THE APPLICANT IS NOT A QUALIFIED APPLICANT, AS

1 DEFINED IN SECTION 12-115-120 (11).

2 **SECTION 4.** In Colorado Revised Statutes, 12-155-113, **add**
3 (1)(r) as follows:

4 **12-155-113. Disciplinary action by board - procedures -**
5 **cease-and-desist orders.** (1) The board may take disciplinary or other
6 action as authorized by section 12-20-404 for any of the following
7 reasons:

8 (r) APPLYING FOR A PLUMBING PERMIT PURSUANT TO SECTION
9 12-155-120 (1) IF THE APPLICANT IS NOT A QUALIFIED APPLICANT, AS
10 DEFINED IN SECTION 12-155-120 (11).

11 **SECTION 5.** In Colorado Revised Statutes, 12-155-119, **amend**
12 (1), (2), and (4)(b); and **add** (5) as follows:

13 **12-155-119. Plumbing inspectors - qualifications - enforcement**
14 **of licensing and apprentice-supervision-ratio requirements - rules -**
15 **legislative declaration - definitions.** (1) (a) The director is authorized
16 to appoint or employ competent persons licensed under this article 155 as
17 journeyman or master plumbers as state plumbing inspectors.

18 (b) FOR PURPOSES OF CONDUCTING COMPLIANCE CHECKS
19 SPECIFIED IN SUBSECTION (5) OF THIS SECTION, THE DIRECTOR SHALL
20 APPOINT OR EMPLOY TWO INDIVIDUALS TO CONDUCT THE COMPLIANCE
21 CHECKS. THE DIRECTOR MAY APPOINT OR EMPLOY INDIVIDUALS WHO ARE
22 LICENSED UNDER THIS ARTICLE 155 OR MAY APPOINT OR EMPLOY
23 INDIVIDUALS WHO ARE NOT LICENSED UNDER THIS ARTICLE 155 BUT WHO
24 DEMONSTRATE SUBSTANTIAL PRIOR WORK EXPERIENCE IN THE PLUMBING
25 OR CONSTRUCTION INDUSTRY. INDIVIDUALS APPOINTED OR EMPLOYED
26 PURSUANT TO THIS SUBSECTION (1)(b) SHALL LIMIT THEIR ACTIVITIES TO
27 CONDUCTING COMPLIANCE CHECKS OF MATTERS SPECIFIED IN SAID

1 SUBSECTION (5).

2 (2) ~~The~~ STATE PLUMBING ~~inspector~~ INSPECTORS AND INDIVIDUALS
3 CONDUCTING COMPLIANCE CHECKS PURSUANT TO SUBSECTION (5) OF THIS
4 SECTION may be employed either on a full-time or on a part-time basis as
5 the circumstances in each case warrant. State plumbing inspectors AND
6 INDIVIDUALS CONDUCTING COMPLIANCE CHECKS PURSUANT TO
7 SUBSECTION (5) OF THIS SECTION have the right of ingress and egress to
8 and from all public and private premises during reasonable working hours
9 where this article 155 applies for the purpose of making plumbing
10 inspections, CONDUCTING COMPLIANCE CHECKS PURSUANT TO
11 SUBSECTION (5) OF THIS SECTION, or otherwise determining compliance
12 with ~~the provisions of~~ this article 155.

13 (4) (b) As part of their duties, plumbing inspectors performing
14 inspections who are employed by a qualified state institution of higher
15 education have the authority to verify the plumbing licenses or
16 apprenticeship registration cards issued by the state for those people
17 performing the plumbing work on a project AND TO VERIFY COMPLIANCE
18 WITH SECTION 12-155-124 (1).

19 (5) (a) CONSISTENT WITH SECTION 12-155-101 AND THE STATE'S
20 DUTY TO SAFEGUARD THE PUBLIC HEALTH BY ENSURING THAT
21 INDIVIDUALS WHO PLAN, INSTALL, ALTER, EXTEND, REPAIR, OR MAINTAIN
22 PLUMBING SYSTEMS HAVE THE SKILLS NECESSARY TO PERFORM THOSE
23 TASKS, THE GENERAL ASSEMBLY FINDS AND DETERMINES THAT BOARD
24 ENFORCEMENT OF THE LICENSING REQUIREMENTS IN THIS ARTICLE 155
25 AND THE LIMITS ON THE NUMBER OF PLUMBING APPRENTICES A LICENSED
26 PLUMBER IS PERMITTED TO SUPERVISE SPECIFIED IN SECTION 12-155-124
27 (1) IS A MATTER OF STATEWIDE CONCERN AND IS ESSENTIAL TO PROTECT

1 PUBLIC HEALTH.

2 (b) THE BOARD SHALL DIRECT INDIVIDUALS APPOINTED OR
3 EMPLOYED PURSUANT TO SUBSECTION (1)(b) OF THIS SECTION TO:

4 (I) CONDUCT COMPLIANCE CHECKS TO ENSURE COMPLIANCE WITH
5 THE LICENSING AND SUPERVISOR-TO-APPRENTICE RATIO REQUIREMENTS
6 SPECIFIED IN THIS ARTICLE 155 ON PROJECTS THROUGHOUT THE STATE
7 WHERE PLUMBING SYSTEMS ARE BEING PLANNED, INSTALLED, ALTERED,
8 EXTENDED, REPAIRED, OR MAINTAINED, REGARDLESS OF WHETHER THE
9 PERMIT FOR THE PLUMBING WORK WAS ISSUED BY THE BOARD, AN
10 INCORPORATED TOWN OR CITY, A COUNTY, A CITY AND COUNTY, OR A
11 QUALIFIED STATE INSTITUTION OF HIGHER EDUCATION; AND

12 (II) PRIORITIZE FOR COMPLIANCE CHECKS PROJECTS THAT PROVIDE
13 OR WILL PROVIDE CRITICAL SERVICES TO RESIDENTS OF THE STATE.

14 (c) TO ENSURE COMPLIANCE WITH THE LICENSING AND
15 SUPERVISOR-TO-APPRENTICE RATIO REQUIREMENTS PURSUANT TO
16 SUBSECTION (5)(a)(I) OF THIS SECTION, INDIVIDUALS APPOINTED OR
17 EMPLOYED PURSUANT TO SUBSECTION (1)(b) OF THIS SECTION SHALL
18 CONDUCT COMPLIANCE CHECKS AT PROJECTS THROUGHOUT THE STATE
19 WHERE PLUMBING IS BEING PERFORMED TO ENSURE THAT:

20 (I) THE INDIVIDUAL PERFORMING THE PLUMBING WORK IS
21 LICENSED AS A MASTER, JOURNEYMAN, OR RESIDENTIAL PLUMBER OR IS A
22 REGISTERED PLUMBING APPRENTICE BEING SUPERVISED BY A LICENSED
23 MASTER, JOURNEYMAN, OR RESIDENTIAL PLUMBER; AND

24 (II) A MASTER, JOURNEYMAN, OR RESIDENTIAL PLUMBER IS
25 COMPLYING WITH THE LIMIT ON THE NUMBER OF PLUMBING APPRENTICES
26 THE PLUMBER MAY SUPERVISE PER JOB SITE SPECIFIED IN SECTION
27 12-155-124 (1).

1 (d) NOTHING IN THIS SUBSECTION (5) AFFECTS THE ABILITY OF A
2 LOCAL GOVERNMENT TO PERMIT OR INSPECT PLUMBING OR GAS PIPING
3 INSTALLATIONS IN ANY NEW CONSTRUCTION OR REMODELING OR REPAIR
4 LOCATED WITHIN THE BOUNDARIES OF THE LOCAL GOVERNMENT.

5 (e) AS USED IN THIS SUBSECTION (5):

6 (I) "LOCAL GOVERNMENT" MEANS AN INCORPORATED TOWN OR
7 CITY, A COUNTY, OR A CITY AND COUNTY.

8 (II) "PROJECT THAT PROVIDES OR WILL PROVIDE CRITICAL
9 SERVICES" MEANS A PROJECT INVOLVING THE ERECTION, CONSTRUCTION,
10 ALTERATION, REPAIR, OR IMPROVEMENT OF ANY PUBLIC STRUCTURE,
11 BUILDING, ROAD, OR OTHER PUBLIC IMPROVEMENT OF ANY KIND,
12 INCLUDING:

13 (A) A PUBLIC BUILDING;

14 (B) A PUBLIC SCHOOL OR INSTITUTION OF HIGHER EDUCATION;

15 (C) AN AIRPORT;

16 (D) A TRAIN STATION OR PUBLIC TRANSIT STATION;

17 (E) A HOSPITAL, NURSING FACILITY, ASSISTED LIVING RESIDENCE,
18 OR OTHER HEALTH-CARE FACILITY LICENSED OR CERTIFIED BY THE
19 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT UNDER TITLE 25;

20 (F) A RENEWABLE ENERGY INSTALLATION OR A PROJECT OF A
21 UTILITY REGULATED BY THE PUBLIC UTILITIES COMMISSION PURSUANT TO
22 TITLE 40; AND

23 (G) ANY OTHER COMMERCIAL OR MULTIFAMILY RESIDENTIAL
24 PUBLIC PROJECT SPECIFIED BY THE BOARD BY RULE.

25 **SECTION 6.** In Colorado Revised Statutes, 12-155-120, **amend**
26 (1), (2), (3), (7)(a), and (10)(b); and **add** (11) as follows:

27 **12-155-120. Inspection - plumbing permits - application -**

1 **standards - definition.** (1) (a) Any plumbing or gas piping installation
2 in any new construction or remodeling or repair, other than manufactured
3 units inspected in accordance with the provisions of part 7 of article 32
4 of title 24, AND except for ~~the~~ new construction or remodeling or repair
5 in any incorporated town or city, county, or city and county, or in a
6 building owned or leased or on land owned by a qualified state institution
7 of higher education where the local entity or qualified state institution of
8 higher education conducts inspections and issues PLUMBING permits,
9 REFERRED TO WITHIN THIS SECTION AS "PERMITS", must be inspected by
10 a state plumbing inspector. A state plumbing inspector shall inspect any
11 new construction, remodeling, or repair subject to the provisions of this
12 subsection (1) within three working days after the receipt of the
13 application for inspection.

14 (b) (I) Prior to the commencement of any plumbing or gas piping
15 installation, the person making the installation, WHO MUST BE A QUALIFIED
16 APPLICANT, shall apply for a permit and pay the required fee.

17 (II) (A) ONLY A QUALIFIED APPLICANT MAY APPLY FOR A PERMIT
18 PURSUANT TO THIS SUBSECTION (1). A LICENSED MASTER PLUMBER WHO
19 IS NOT A REGISTERED PLUMBING CONTRACTOR AND WHO IS OPERATING AS
20 AN INDEPENDENT CONTRACTOR FOR ANOTHER BUSINESS SHALL NOT APPLY
21 FOR A PERMIT PURSUANT TO THIS SUBSECTION (1).

22 (B) BEFORE ISSUING A PERMIT PURSUANT TO THIS SUBSECTION (1),
23 THE BOARD OR, IF APPLICABLE, THE LOCAL ENTITY OR QUALIFIED STATE
24 INSTITUTION OF HIGHER EDUCATION THAT CONDUCTS INSPECTIONS AND
25 ISSUES PERMITS SHALL VERIFY THAT THE PERMIT APPLICANT IS A
26 QUALIFIED APPLICANT.

27 (c) Every mobile home or movable structure owner shall have the

1 plumbing and gas piping hookup for the mobile home or movable
2 structure inspected prior to obtaining new or different plumbing or gas
3 service.

4 (d) A qualified state institution of higher education with a building
5 department that meets or exceeds the minimum standards adopted by the
6 board under this article 155 shall process applications for permits and
7 inspections only from the institution and from contractors working for the
8 benefit of the institution, and shall conduct inspections only of work
9 performed for the benefit of the institution. Each inspection must include
10 a contemporaneous review to ensure that the requirements of section
11 12-155-108 have been met. A qualified state institution of higher
12 education shall enforce standards that are at least as stringent as any
13 minimum standards adopted by the board.

14 (2) (a) A state plumbing inspector shall inspect the work
15 performed, and, if the work meets the minimum standards set forth in the
16 Colorado plumbing code referred to in section 12-155-106, THE
17 INSPECTOR SHALL ISSUE a certificate of approval. ~~shall be issued by the~~
18 ~~inspector.~~

19 (b) (I) If the installation is disapproved, THE INSPECTOR SHALL
20 GIVE written notice together with the reasons for the disapproval ~~shall be~~
21 ~~given by the inspector~~ to the QUALIFIED applicant. If the installation is
22 hazardous to life or property, the inspector disapproving it may order the
23 plumbing or gas service ~~thereto~~ TO THE INSTALLATION discontinued until
24 the installation is rendered safe. The QUALIFIED applicant may appeal the
25 disapproval to the board, and THE BOARD shall ~~be granted~~ GRANT THE
26 QUALIFIED APPLICANT a hearing ~~by the board~~ within seven days after
27 notice of appeal is filed with the board.

1 (II) After ~~removal of~~ REMOVING the cause of the disapproval, the
2 QUALIFIED applicant shall ~~make application~~ APPLY for reinspection in the
3 same manner as for the original inspection and pay the required
4 reinspection fee.

5 (3) (a) All ~~inspection~~ permits issued by the board are valid for a
6 period of twelve months. The board shall close a permit and mark its
7 status as "expired" at the end of the twelve-month renewal period, except
8 in the following circumstances:

9 (I) If ~~an~~ A QUALIFIED applicant ~~makes a showing~~ DEMONSTRATES
10 at the time of application for a permit that the plumbing or gas piping
11 work is substantial and is likely to take longer than twelve months, the
12 board may issue a permit to be valid for a period longer than twelve
13 months, but not exceeding three years.

14 (II) If the QUALIFIED applicant notifies the board prior to the
15 expiration of the twelve-month period of extenuating circumstances, as
16 determined by the board, during the twelve-month period, the board may
17 extend the validity of the permit for a period not to exceed six months.

18 (b) If A QUALIFIED APPLICANT REQUESTS an inspection ~~is requested~~
19 ~~by an applicant~~ after a permit has expired or has been canceled, THE
20 QUALIFIED APPLICANT MUST APPLY FOR AND BE GRANTED a new permit
21 ~~must be applied for and granted~~ before an inspection is performed.

22 (7) (a) Any person claiming to be aggrieved by the failure of a
23 state plumbing inspector to inspect ~~his or her~~ THE PERSON'S property after
24 proper application or by notice of disapproval without setting forth the
25 reasons for denying the ~~inspection~~ permit may request the program
26 administrator to review the actions of the plumbing inspector or the
27 manner of the inspection. The request may be made by the person's

1 authorized representative and shall be in writing.

2 (10) (b) (I) Inspections performed by an inspecting entity must
3 include, for each project, a contemporaneous review to ensure compliance
4 with sections 12-155-108 and 12-155-124. A contemporaneous review
5 may include a full or partial review of the plumbers and apprentices
6 working at a job site being inspected.

7 (II) To ensure that enforcement is consistent, timely, and efficient,
8 each inspecting entity employing inspectors shall develop standard
9 procedures to advise its inspectors on how to conduct a contemporaneous
10 review. An inspecting entity's standard procedures need not require a
11 contemporaneous review for each inspection of a project, but the
12 procedures must preserve an inspector's ability to verify compliance with
13 sections 12-155-108 and 12-155-124 at any time. Each inspecting entity's
14 procedures must include provisions that allow for inspectors to:

15 (A) Conduct occasional, random, on-site inspections while actual
16 plumbing work is being conducted, with a focus on large commercial and
17 multi-family residential projects permitted by the inspecting entity; AND

18 (B) REQUEST DOCUMENTATION INDICATING WHO PERFORMED THE
19 PLUMBING WORK TO ENSURE COMPLIANCE WITH SECTIONS 12-155-108
20 AND 12-155-124.

21 (III) Each inspecting entity subject to ~~this~~ subsection (10)(b)(II)
22 OF THIS SECTION, including the state, shall post its current procedures
23 regarding contemporaneous reviews in a prominent location on its public
24 website and provide the director with a link to the web page on which the
25 procedures have been posted or, if an inspecting entity does not have a
26 website, provide its current procedures to the director for posting on the
27 board's website.

1 ~~(H)~~ (IV) An inspector may file a complaint with the board for any
2 violation of this article 155.

3 (11) AS USED IN THIS SECTION, "QUALIFIED APPLICANT" MEANS:

4 (a) A LICENSED MASTER PLUMBER, INCLUDING A LICENSED MASTER
5 PLUMBER WHO IS OPERATING AS A SOLE PROPRIETOR, SO LONG AS THE
6 LICENSED MASTER PLUMBER IS ALSO A REGISTERED PLUMBING
7 CONTRACTOR;

8 (b) A LICENSED MASTER PLUMBER WHO IS DIRECTLY EMPLOYED BY
9 A REGISTERED PLUMBING CONTRACTOR; OR

10 (c) A HOMEOWNER PERFORMING WORK ON THE HOMEOWNER'S
11 HOME.

12

13 **SECTION 7. Safety clause.** The general assembly hereby finds,
14 determines, and declares that this act is necessary for the immediate
15 preservation of the public peace, health, or safety.