

**First Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO**

**REVISED**

*This Version Includes All Amendments Adopted  
on Second Reading in the Second House*

LLS NO. 19-0635.01 Thomas Morris x4218

**HOUSE BILL 19-1086**

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**A BILL FOR AN ACT**

101 **CONCERNING THE CONDUCT OF PLUMBING INSPECTIONS TO ENSURE**  
102 **COMPLIANCE WITH THE PLUMBING LAW.**

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**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>.)*

Current law requires plumbing inspectors employed by qualified state institutions of higher education to possess the same qualifications required of state plumbing inspectors. **Section 1** of the bill requires the same of inspectors employed by an incorporated town or city, county, or city and county.

**Section 2** requires state plumbing inspectors or plumbing

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.

SENATE  
Amended 2nd Reading  
March 28, 2019

HOUSE  
3rd Reading Unamended  
March 11, 2019

HOUSE  
Amended 2nd Reading  
March 8, 2019

inspectors employed by the state, an incorporated town or city, county, city and county, or qualified state institution of higher education (entity) to conduct a contemporaneous review of each plumbing project inspected to ensure compliance with the plumbing law, including specifically licensure and apprentice requirements. However, each entity need not perform a contemporaneous review for each inspection of a project. Each entity shall develop standard procedures to advise inspectors on how to conduct a contemporaneous review. Each entity must post its standard procedures on its public website and provide the director of the division of professions and occupations within the department of regulatory agencies with a link to the web page on which the standard procedures have been posted.

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

2 **SECTION 1.** In Colorado Revised Statutes, 12-58-108,  
3 **amend** (2); and **add** (3) as follows:

4 **12-58-108. Renewal - reinstatement - rules.** (2) (a) Any license  
5 or registration that has lapsed is ~~deemed to have~~ expired.

6 (b) (I) Prior to reinstatement OF AN EXPIRED LICENSE OR  
7 REGISTRATION, the board is ~~authorized to~~ MAY require the licensee OR  
8 REGISTRANT to demonstrate competency.

9 (II) THIS SUBSECTION (2)(b)(II) DOES NOT APPLY TO WATER  
10 CONDITIONING INSTALLERS AND WATER CONDITIONING PRINCIPALS. TO  
11 REINSTATE A LICENSE OR REGISTRATION THAT HAS BEEN EXPIRED FOR TWO  
12 OR MORE YEARS, A PERSON MUST DEMONSTRATE COMPETENCY BY:

13 (A) PROVIDING VERIFICATION OF A LICENSE IN GOOD STANDING  
14 FROM ANOTHER STATE AND PROOF OF ACTIVE PRACTICE IN THAT STATE  
15 FOR THE YEAR PREVIOUS TO THE DATE OF RECEIPT OF THE REINSTATEMENT  
16 APPLICATION;

17 (B) SATISFACTORILY PASSING THE STATE PLUMBING EXAMINATION  
18 IN ACCORDANCE WITH SECTION 12-58-107; OR

19 (C) ANY OTHER MEANS APPROVED BY THE BOARD.

1 (III) TO REINSTATE A LICENSE OR REGISTRATION THAT HAS BEEN  
2 EXPIRED FOR LESS THAN TWO YEARS, A PERSON MUST COMPLY WITH  
3 SUBSECTION (3)(a) OF THIS SECTION; EXCEPT THAT THIS SUBSECTION  
4 (2)(b)(III) DOES NOT APPLY TO WATER CONDITIONING INSTALLERS AND  
5 WATER CONDITIONING PRINCIPALS.

6 (c) Licenses and registrations ~~shall be renewed or reinstated~~  
7 ~~pursuant to~~ ARE SUBJECT TO RENEWAL OR REINSTATEMENT IN  
8 ACCORDANCE WITH a schedule established by the director of the division  
9 of professions and occupations within the department of regulatory  
10 agencies and pursuant to section 24-34-102 (8). ~~C.R.S.~~ The director of the  
11 ~~division of professions and occupations within the department of~~  
12 ~~regulatory agencies~~ may establish renewal fees and delinquency fees for  
13 reinstatement pursuant to section 24-34-105. ~~C.R.S.~~

14 (d) If a person fails to renew his or her license or registration  
15 pursuant to the schedule established by the director, ~~of the division of~~  
16 ~~professions and occupations~~, the license or registration ~~shall expire~~  
17 EXPIRES. Any person whose license or registration has expired is subject  
18 to the penalties provided in this ~~article~~ ARTICLE 58 or section 24-34-102  
19 (8). ~~C.R.S.~~

20 (3) (a) ON OR AFTER MAY 1, 2021, THE BOARD SHALL NOT RENEW  
21 OR REINSTATE A LICENSE UNLESS THE APPLICANT HAS COMPLETED EIGHT  
22 HOURS OF CONTINUING EDUCATION FOR EVERY TWELVE MONTHS THAT  
23 HAVE PASSED AFTER THE LATER OF THE LAST DATE OF RENEWAL OR  
24 REINSTATEMENT. THIS SUBSECTION (3)(a) DOES NOT APPLY TO THE FIRST  
25 RENEWAL OR REINSTATEMENT OF A LICENSE FOR WHICH, AS A CONDITION  
26 OF ISSUANCE, THE APPLICANT SUCCESSFULLY COMPLETED A LICENSING  
27 EXAMINATION PURSUANT TO SECTION 12-58-107.

1 (b) ON OR BEFORE JULY 1, 2020, THE BOARD, IN COLLABORATION  
2 WITH ESTABLISHED INDUSTRY TRAINING PROGRAMS AND INDUSTRY  
3 REPRESENTATIVES, SHALL ADOPT RULES ESTABLISHING CONTINUING  
4 EDUCATION REQUIREMENTS AND STANDARDS. THE REQUIREMENTS AND  
5 STANDARDS MUST INCLUDE COURSE WORK RELATED TO THE CODE,  
6 INCLUDING CORE COMPETENCIES, AS DETERMINED BY THE BOARD. THE  
7 BOARD MAY COUNT A LICENSED PLUMBER'S ENROLLMENT IN A COURSE  
8 DESIGNED TO HELP THE PLUMBER ATTAIN NATIONALLY RECOGNIZED  
9 PLUMBING AND BUILDING INSPECTION CERTIFICATIONS TOWARDS THE  
10 PLUMBER'S CONTINUING EDUCATION REQUIREMENTS. A RENEWAL OR  
11 REINSTATEMENT LICENSE APPLICANT MUST FURNISH, OR CAUSE TO BE  
12 FURNISHED, TO THE BOARD, IN A FORM AND MANNER DETERMINED BY THE  
13 BOARD, DOCUMENTATION DEMONSTRATING COMPLIANCE WITH THIS  
14 SUBSECTION (3) AND RULES PROMULGATED TO IMPLEMENT THIS  
15 SUBSECTION (3).

16 (c) TO ENSURE CONSUMER PROTECTION, THE BOARD'S RULES MAY  
17 INCLUDE AUDIT STANDARDS FOR LICENSEE COMPLIANCE WITH CONTINUING  
18 EDUCATION REQUIREMENTS AND REQUIREMENTS PERTAINING TO THE  
19 TESTING OF LICENSEES BY THE CONTINUING EDUCATION VENDOR.

20 **SECTION 2.** In Colorado Revised Statutes, 12-58-114.5, **add**  
21 (10) as follows:

22 **12-58-114.5. Inspection - application - standards.** (10) (a) AN  
23 INSPECTOR PERFORMING AN INSPECTION FOR THE STATE, AN  
24 INCORPORATED TOWN OR CITY, COUNTY, CITY AND COUNTY, OR QUALIFIED  
25 STATE INSTITUTION OF HIGHER EDUCATION, REFERRED TO IN THIS  
26 SUBSECTION (10) AS AN "INSPECTING ENTITY", SHALL VERIFY COMPLIANCE  
27 WITH THIS ARTICLE 58.

1 (b) (I) INSPECTIONS PERFORMED BY AN INSPECTING ENTITY MUST  
2 INCLUDE, FOR EACH PROJECT, A CONTEMPORANEOUS REVIEW TO ENSURE  
3 COMPLIANCE WITH SECTIONS 12-58-105 AND 12-58-117. A  
4 CONTEMPORANEOUS REVIEW MAY INCLUDE A FULL OR PARTIAL REVIEW OF  
5 THE PLUMBERS AND APPRENTICES WORKING AT A JOB SITE BEING  
6 INSPECTED.

7 (II) TO ENSURE THAT ENFORCEMENT IS CONSISTENT, TIMELY, AND  
8 EFFICIENT, EACH INSPECTING ENTITY EMPLOYING INSPECTORS SHALL  
9 DEVELOP STANDARD PROCEDURES TO ADVISE ITS INSPECTORS ON HOW TO  
10 CONDUCT A CONTEMPORANEOUS REVIEW. AN INSPECTING ENTITY'S  
11 STANDARD PROCEDURES NEED NOT REQUIRE A CONTEMPORANEOUS  
12 REVIEW FOR EACH INSPECTION OF A PROJECT, BUT THE PROCEDURES MUST  
13 PRESERVE AN INSPECTOR'S ABILITY TO VERIFY COMPLIANCE WITH  
14 SECTIONS 12-58-105 AND 12-58-117 AT ANY TIME. EACH INSPECTING  
15 ENTITY'S PROCEDURES MUST INCLUDE PROVISIONS THAT ALLOW FOR  
16 INSPECTORS TO CONDUCT OCCASIONAL, RANDOM, ON-SITE INSPECTIONS  
17 WHILE ACTUAL PLUMBING WORK IS BEING CONDUCTED, WITH A FOCUS ON  
18 LARGE COMMERCIAL AND MULTI-FAMILY RESIDENTIAL PROJECTS  
19 PERMITTED BY THE INSPECTING ENTITY. EACH INSPECTING ENTITY SUBJECT  
20 TO THIS SUBSECTION (10)(b)(II), INCLUDING THE STATE, SHALL POST ITS  
21 CURRENT PROCEDURES REGARDING CONTEMPORANEOUS REVIEWS IN A  
22 PROMINENT LOCATION ON ITS PUBLIC WEBSITE AND PROVIDE THE  
23 DIRECTOR OF THE DIVISION OF PROFESSIONS AND OCCUPATIONS WITH A  
24 LINK TO THE WEB PAGE ON WHICH THE PROCEDURES HAVE BEEN POSTED  
25 OR, IF AN INSPECTING ENTITY DOES NOT HAVE A WEBSITE, PROVIDE ITS  
26 CURRENT PROCEDURES TO THE DIRECTOR FOR POSTING ON THE BOARD'S  
27 WEBSITE.

1 (III) AN INSPECTOR MAY FILE A COMPLAINT WITH THE BOARD FOR  
2 ANY VIOLATION OF THIS ARTICLE 58.

3 (c) THE BOARD SHALL ENSURE COMPLIANCE WITH THIS SECTION.  
4 IF THE BOARD DETERMINES, AS A RESULT OF A FORMAL COMPLAINT, THAT  
5 AN INSPECTING ENTITY IS CONDUCTING PLUMBING INSPECTIONS THAT DO  
6 NOT COMPLY WITH THIS SECTION, THE BOARD MAY ISSUE TO THE  
7 INSPECTING ENTITY AN ORDER TO SHOW CAUSE, IN ACCORDANCE SECTION  
8 12-58-104 (1)(m), AS TO WHY THE BOARD SHOULD NOT ISSUE A FINAL  
9 ORDER DIRECTING THE INSPECTING ENTITY TO CEASE AND DESIST  
10 CONDUCTING PLUMBING INSPECTIONS UNTIL THE INSPECTING ENTITY  
11 COMES INTO COMPLIANCE TO THE SATISFACTION OF THE BOARD. IF THE USE  
12 OF STATE PLUMBING INSPECTORS IS REQUIRED AFTER THE ISSUANCE OF A  
13 FINAL CEASE-AND-DESIST ORDER PURSUANT TO THIS SUBSECTION (10)(c),  
14 THE INSPECTING ENTITY SHALL REIMBURSE THE BOARD FOR ANY EXPENSES  
15 INCURRED IN PERFORMING THE INSPECTING ENTITY'S INSPECTIONS, IN  
16 ADDITION TO TRANSMITTING THE REQUIRED PERMIT FEES.

17 **SECTION 3.** In Colorado Revised Statutes, 12-155-112, **amend**  
18 **as relocated by House Bill 19-1172 (2); and add (3) as follows:**

19 **12-155-112. License renewal - fees - reinstatement - rules.**  
20 (2) (a) Licenses and registrations issued pursuant to this article 155 are  
21 subject to the renewal, expiration, reinstatement, and delinquency fee  
22 provisions specified in section 12-20-202 (1) and (2). Any person whose  
23 license or registration has expired is subject to the penalties provided in  
24 this article 155 or section 12-20-202 (1).

25 (b) THIS SUBSECTION (2)(b) DOES NOT APPLY TO WATER  
26 CONDITIONING INSTALLERS AND WATER CONDITIONING PRINCIPALS. TO  
27 REINSTATE A LICENSE OR REGISTRATION THAT HAS BEEN EXPIRED FOR TWO

1 OR MORE YEARS, A PERSON MUST DEMONSTRATE COMPETENCY BY:

2 (I) PROVIDING VERIFICATION OF A LICENSE IN GOOD STANDING  
3 FROM ANOTHER STATE AND PROOF OF ACTIVE PRACTICE IN THAT STATE  
4 FOR THE YEAR PREVIOUS TO THE DATE OF RECEIPT OF THE REINSTATEMENT  
5 APPLICATION;

6 (II) SATISFACTORILY PASSING THE STATE PLUMBING EXAMINATION  
7 IN ACCORDANCE WITH SECTION 12-58-107; OR

8 (III) ANY OTHER MEANS APPROVED BY THE BOARD.

9 (c) TO REINSTATE A LICENSE OR REGISTRATION THAT HAS BEEN  
10 EXPIRED FOR LESS THAN TWO YEARS, A PERSON MUST COMPLY WITH  
11 SUBSECTION (3)(a) OF THIS SECTION; EXCEPT THAT THIS SUBSECTION (2)(c)  
12 DOES NOT APPLY TO WATER CONDITIONING INSTALLERS AND WATER  
13 CONDITIONING PRINCIPALS.

14 (3) (a) ON OR AFTER MAY 1, 2021, THE BOARD SHALL NOT RENEW  
15 OR REINSTATE A LICENSE UNLESS THE APPLICANT HAS COMPLETED EIGHT  
16 HOURS OF CONTINUING EDUCATION FOR EVERY TWELVE MONTHS THAT  
17 HAVE PASSED AFTER THE LATER OF THE LAST DATE OF RENEWAL OR  
18 REINSTATEMENT. THIS SUBSECTION (3)(a) DOES NOT APPLY TO THE FIRST  
19 RENEWAL OR REINSTATEMENT OF A LICENSE FOR WHICH, AS A CONDITION  
20 OF ISSUANCE, THE APPLICANT SUCCESSFULLY COMPLETED A LICENSING  
21 EXAMINATION PURSUANT TO SECTION 12-155-110.

22 (b) ON OR BEFORE JULY 1, 2020, THE BOARD, IN COLLABORATION  
23 WITH ESTABLISHED INDUSTRY TRAINING PROGRAMS AND INDUSTRY  
24 REPRESENTATIVES, SHALL ADOPT RULES ESTABLISHING CONTINUING  
25 EDUCATION REQUIREMENTS AND STANDARDS. THE REQUIREMENTS AND  
26 STANDARDS MUST INCLUDE COURSE WORK RELATED TO THE CODE,  
27 INCLUDING CORE COMPETENCIES, AS DETERMINED BY THE BOARD. THE

1 BOARD MAY COUNT A LICENSED PLUMBER'S ENROLLMENT IN A COURSE  
2 DESIGNED TO HELP THE PLUMBER ATTAIN NATIONALLY RECOGNIZED  
3 PLUMBING AND BUILDING INSPECTION CERTIFICATIONS TOWARDS THE  
4 PLUMBER'S CONTINUING EDUCATION REQUIREMENTS. A RENEWAL OR  
5 REINSTATEMENT LICENSE APPLICANT MUST FURNISH, OR CAUSE TO BE  
6 FURNISHED, TO THE BOARD, IN A FORM AND MANNER DETERMINED BY THE  
7 BOARD, DOCUMENTATION DEMONSTRATING COMPLIANCE WITH THIS  
8 SUBSECTION (3) AND RULES PROMULGATED TO IMPLEMENT THIS  
9 SUBSECTION (3).

10 (c) TO ENSURE CONSUMER PROTECTION, THE BOARD'S RULES MAY  
11 INCLUDE AUDIT STANDARDS FOR LICENSEE COMPLIANCE WITH CONTINUING  
12 EDUCATION REQUIREMENTS AND REQUIREMENTS PERTAINING TO THE  
13 TESTING OF LICENSEES BY THE CONTINUING EDUCATION VENDOR.

14 **SECTION 4.** In Colorado Revised Statutes, 12-155-120, **add as**  
15 **relocated by House Bill 19-1172 (10)** as follows:

16 **12-155-120. Inspection - application - standards.** (10) (a) AN  
17 INSPECTOR PERFORMING AN INSPECTION FOR THE STATE, AN  
18 INCORPORATED TOWN OR CITY, COUNTY, CITY AND COUNTY, OR QUALIFIED  
19 STATE INSTITUTION OF HIGHER EDUCATION, REFERRED TO IN THIS  
20 SUBSECTION (10) AS AN "INSPECTING ENTITY", SHALL VERIFY COMPLIANCE  
21 WITH THIS ARTICLE 155.

22 (b) (I) INSPECTIONS PERFORMED BY AN INSPECTING ENTITY MUST  
23 INCLUDE, FOR EACH PROJECT, A CONTEMPORANEOUS REVIEW TO ENSURE  
24 COMPLIANCE WITH SECTIONS 12-155-108 AND 12-155-124. A  
25 CONTEMPORANEOUS REVIEW MAY INCLUDE A FULL OR PARTIAL REVIEW OF  
26 THE PLUMBERS AND APPRENTICES WORKING AT A JOB SITE BEING  
27 INSPECTED.



1 (II) TO ENSURE THAT ENFORCEMENT IS CONSISTENT, TIMELY, AND  
2 EFFICIENT, EACH INSPECTING ENTITY EMPLOYING INSPECTORS SHALL  
3 DEVELOP STANDARD PROCEDURES TO ADVISE ITS INSPECTORS ON HOW TO  
4 CONDUCT A CONTEMPORANEOUS REVIEW. AN INSPECTING ENTITY'S  
5 STANDARD PROCEDURES NEED NOT REQUIRE A CONTEMPORANEOUS  
6 REVIEW FOR EACH INSPECTION OF A PROJECT, BUT THE PROCEDURES MUST  
7 PRESERVE AN INSPECTOR'S ABILITY TO VERIFY COMPLIANCE WITH  
8 SECTIONS 12-155-108 AND 12-155-124 AT ANY TIME. EACH INSPECTING  
9 ENTITY'S PROCEDURES MUST INCLUDE PROVISIONS THAT ALLOW FOR  
10 INSPECTORS TO CONDUCT OCCASIONAL, RANDOM, ON-SITE INSPECTIONS  
11 WHILE ACTUAL PLUMBING WORK IS BEING CONDUCTED, WITH A FOCUS ON  
12 LARGE COMMERCIAL AND MULTI-FAMILY RESIDENTIAL PROJECTS  
13 PERMITTED BY THE INSPECTING ENTITY. EACH INSPECTING ENTITY SUBJECT  
14 TO THIS SUBSECTION (10)(b)(II), INCLUDING THE STATE, SHALL POST ITS  
15 CURRENT PROCEDURES REGARDING CONTEMPORANEOUS REVIEWS IN A  
16 PROMINENT LOCATION ON ITS PUBLIC WEBSITE AND PROVIDE THE  
17 DIRECTOR WITH A LINK TO THE WEB PAGE ON WHICH THE PROCEDURES  
18 HAVE BEEN POSTED OR, IF AN INSPECTING ENTITY DOES NOT HAVE A  
19 WEBSITE, PROVIDE ITS CURRENT PROCEDURES TO THE DIRECTOR FOR  
20 POSTING ON THE BOARD'S WEBSITE.

21 (III) AN INSPECTOR MAY FILE A COMPLAINT WITH THE BOARD FOR  
22 ANY VIOLATION OF THIS ARTICLE 155.

23 (c) THE BOARD SHALL ENSURE COMPLIANCE WITH THIS SECTION.  
24 IF THE BOARD DETERMINES, AS A RESULT OF A FORMAL COMPLAINT, THAT  
25 AN INSPECTING ENTITY IS CONDUCTING PLUMBING INSPECTIONS THAT DO  
26 NOT COMPLY WITH THIS SECTION, THE BOARD MAY ISSUE TO THE  
27 INSPECTING ENTITY AN ORDER TO SHOW CAUSE, IN ACCORDANCE SECTION

1 12-155-105 (1)(m), AS TO WHY THE BOARD SHOULD NOT ISSUE A FINAL  
2 ORDER DIRECTING THE INSPECTING ENTITY TO CEASE AND DESIST  
3 CONDUCTING PLUMBING INSPECTIONS UNTIL THE INSPECTING ENTITY  
4 COMES INTO COMPLIANCE TO THE SATISFACTION OF THE BOARD. IF THE USE  
5 OF STATE PLUMBING INSPECTORS IS REQUIRED AFTER THE ISSUANCE OF A  
6 FINAL CEASE-AND-DESIST ORDER PURSUANT TO THIS SUBSECTION (10)(c),  
7 THE INSPECTING ENTITY SHALL REIMBURSE THE BOARD FOR ANY EXPENSES  
8 INCURRED IN PERFORMING THE INSPECTING ENTITY'S INSPECTIONS, IN  
9 ADDITION TO TRANSMITTING THE REQUIRED PERMIT FEES.

10 **SECTION 5. Act subject to petition - effective date.** (1) Except  
11 as otherwise provided in subsection (2) of this section, this act takes  
12 effect January 1, 2020; except that, if a referendum petition is filed  
13 pursuant to section 1 (3) of article V of the state constitution against this  
14 act or an item, section, or part of this act within the ninety-day period  
15 after final adjournment of the general assembly, then the act, item,  
16 section, or part will not take effect unless approved by the people at the  
17 general election to be held in November 2020 and, in such case, will take  
18 effect on the date of the official declaration of the vote thereon by the  
19 governor.

20 (2) (a) Sections 1 and 2 of this act take effect only if House Bill  
21 19-1172 does not become law.

22 (b) Sections 3 and 4 of this act take effect only if House Bill  
23 19-1172 becomes law.