

First Regular Session
Seventy-second General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 19-0635.01 Thomas Morris x4218

HOUSE BILL 19-1086

HOUSE SPONSORSHIP

Duran,

SENATE SPONSORSHIP

(None),

House Committees
Business Affairs and Labor

Senate Committees

A BILL FOR AN ACT

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

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.

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.

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

2 **SECTION 1.** In Colorado Revised Statutes, 12-58-114.2, **amend**
3 (4)(a); and **repeal** (4)(b) as follows:

4 **12-58-114.2. Plumbing inspectors - qualifications.** (4) (a) A
5 plumbing ~~inspectors~~ INSPECTOR performing inspections who ~~are~~ IS
6 employed by a qualified state institution of higher education, ~~shall~~
7 INCORPORATED TOWN OR CITY, COUNTY, OR CITY AND COUNTY MUST:

8 (I) Be certified as A commercial plumbing ~~inspectors~~ INSPECTOR
9 by a nationally recognized model code organization and MUST possess a
10 valid journeyman or master plumber license issued by the state;

11 (II) ~~In addition, such plumbing inspectors shall~~ Possess the same
12 qualifications required of state plumbing inspectors under this ~~article,~~
13 ARTICLE 58;

14 (III) ~~shall~~ Be registered with the board ~~prior to the assumption of~~
15 ~~their duties,~~ BEFORE BEGINNING INSPECTIONS;

16 (IV) ~~shall~~ Not inspect any plumbing work in which the inspector
17 has any financial or other personal interest; ~~and shall~~

18 (V) Not be engaged in the plumbing business by contracting,
19 supplying material, or performing plumbing work; ~~as defined in this~~

1 ~~article. In addition, any such plumbing inspector~~ AND

2 (VI) IF inspecting a medical gas installation, ~~shall~~ hold the
3 national inspection certification ASSE 6020 or recognized equivalent.

4 (b) ~~As part of their duties, plumbing inspectors performing~~
5 ~~inspections who are employed by a qualified state institution of higher~~
6 ~~education have the authority to verify the plumbing licenses or~~
7 ~~apprenticeship registration cards issued by the state for those people~~
8 ~~performing the plumbing work on a project.~~

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

11 **12-58-114.5. Inspection - application - standards.** (10) (a) AN
12 INSPECTOR PERFORMING AN INSPECTION FOR THE STATE, AN
13 INCORPORATED TOWN OR CITY, COUNTY, CITY AND COUNTY, OR QUALIFIED
14 STATE INSTITUTION OF HIGHER EDUCATION, REFERRED TO IN THIS
15 SUBSECTION (10) AS AN "INSPECTING ENTITY", SHALL VERIFY COMPLIANCE
16 WITH THIS ARTICLE 58.

17 (b) (I) INSPECTIONS PERFORMED BY AN INSPECTING ENTITY MUST
18 INCLUDE, FOR EACH PROJECT, A CONTEMPORANEOUS REVIEW TO ENSURE
19 COMPLIANCE WITH SECTIONS 12-58-105 AND 12-58-117. A
20 CONTEMPORANEOUS REVIEW MAY INCLUDE A FULL OR PARTIAL REVIEW OF
21 THE PLUMBERS AND APPRENTICES WORKING AT A JOB SITE BEING
22 INSPECTED.

23 (II) TO ENSURE THAT ENFORCEMENT IS CONSISTENT, TIMELY, AND
24 EFFICIENT, EACH INSPECTING ENTITY EMPLOYING INSPECTORS SHALL
25 DEVELOP STANDARD PROCEDURES TO ADVISE ITS INSPECTORS ON HOW TO
26 CONDUCT A CONTEMPORANEOUS REVIEW. AN INSPECTING ENTITY'S
27 STANDARD PROCEDURES NEED NOT REQUIRE A CONTEMPORANEOUS

1 REVIEW FOR EACH INSPECTION OF A PROJECT, BUT THE PROCEDURES MUST
2 PRESERVE AN INSPECTOR'S ABILITY TO VERIFY COMPLIANCE WITH
3 SECTIONS 12-58-105 AND 12-58-117 AT ANY TIME. EACH INSPECTING
4 ENTITY SUBJECT TO THIS SUBSECTION (10)(b)(II), INCLUDING THE STATE,
5 SHALL POST ITS CURRENT PROCEDURES REGARDING CONTEMPORANEOUS
6 REVIEWS IN A PROMINENT LOCATION ON ITS PUBLIC WEBSITE AND PROVIDE
7 THE DIRECTOR WITH A LINK TO THE WEB PAGE ON WHICH THE PROCEDURES
8 HAVE BEEN POSTED.

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

11 **SECTION 3. Act subject to petition - effective date -**
12 **applicability.** (1) Section 1 of this act takes effect January 1, 2022, and
13 the remainder of this act takes effect January 1, 2020; except that, if a
14 referendum petition is filed pursuant to section 1 (3) of article V of the
15 state constitution against this act or an item, section, or part of this act
16 within such period, then the act, item, section, or part will not take effect
17 unless approved by the people at the general election to be held in
18 November 2020 and, in such case, will take effect on the date of the
19 official declaration of the vote thereon by the governor; except that
20 section 1 of this act will take effect January 1, 2022.

21 (2) This act applies to conduct occurring on or after the applicable
22 effective date of this act.