

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 14-0377.01 Brita Darling x2241

SENATE BILL 14-081

SENATE SPONSORSHIP

Herpin,

HOUSE SPONSORSHIP

Gardner,

Senate Committees
Business, Labor, & Technology

House Committees

A BILL FOR AN ACT

101 CONCERNING BUILDING INSPECTIONS RELATING TO UTILITIES.

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://www.leg.state.co.us/billsummaries>.)

Under current law, electrical and plumbing inspections of school buildings must be performed by state inspectors even though the school building is located in a town, city, or county that has a building department that inspects buildings. The bill removes this requirement, allowing local departments to perform electrical and plumbing inspections of school buildings within their jurisdictions.

The bill requires a school district to provide notice to the state

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

whether the school district will use the state or local electrical or plumbing inspectors for school building inspections in the school district.

Additionally, a local jurisdiction that ceases to perform plumbing inspections shall notify the state in advance and shall reimburse the state for any plumbing inspections that the state must perform if notice is not given.

State and local electrical and plumbing inspectors shall inspect school buildings according to the standards specified in the state electrical and plumbing codes.

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

2 **SECTION 1.** In Colorado Revised Statutes, 12-23-116, **amend**
3 (7) as follows:

4 **12-23-116. Inspection - application - standards.**

5 (7) (a) Notwithstanding the fact that any incorporated town or city, any
6 county, or any city and county in which a public school is located or is to
7 be located has its own electrical code and inspection authority, any
8 electrical installation in any new construction or remodeling or repair of
9 a public school shall be inspected by EITHER a state electrical inspector OR
10 A LOCAL ELECTRICAL CODE AND INSPECTION AUTHORITY AT THE
11 DISCRETION OF THE SCHOOL DISTRICT. THE SCHOOL DISTRICT SHALL
12 NOTIFY THE BOARD ON OR BEFORE OCTOBER 1 OF THE PRECEDING YEAR
13 WHETHER THE SCHOOL DISTRICT WILL USE A STATE ELECTRICAL INSPECTOR
14 OR A LOCAL ELECTRICAL CODE AND INSPECTION AUTHORITY TO PERFORM
15 ELECTRICAL INSPECTIONS OF THE SCHOOLS OF THE SCHOOL DISTRICT
16 DURING THE SUBSEQUENT STATE FISCAL YEAR. THE SCHOOL DISTRICT
17 SHALL USE THE DESIGNATED ELECTRICAL INSPECTOR FOR ALL OF THE
18 SCHOOLS OF THE SCHOOL DISTRICT, UNLESS THE SCHOOL DISTRICT HAS
19 DESIGNATED A LOCAL ELECTRICAL CODE AND INSPECTION AUTHORITY TO
20 PERFORM INSPECTIONS AND THE SCHOOL BUILDING BEING INSPECTED IS

1 LOCATED IN A JURISDICTION THAT DOES NOT HAVE A LOCAL ELECTRICAL
2 CODE AND INSPECTION AUTHORITY, IN WHICH CASE A STATE ELECTRICAL
3 INSPECTOR SHALL PERFORM THE INSPECTION. IF A SCHOOL DISTRICT
4 DESIGNATES A LOCAL ELECTRICAL CODE AND INSPECTION AUTHORITY TO
5 PERFORM THE INSPECTIONS OF THE SCHOOLS OF THE SCHOOL DISTRICT, THE
6 SCHOOL DISTRICT SHALL INCLUDE IN ITS NOTIFICATION TO THE BOARD A
7 LISTING OF THE SCHOOLS OF THE SCHOOL DISTRICT THAT ARE LOCATED IN
8 A JURISDICTION THAT DOES NOT HAVE A LOCAL ELECTRICAL CODE AND
9 INSPECTION AUTHORITY.

10 (b) STATE ELECTRICAL INSPECTORS AND ELECTRICAL INSPECTORS
11 PERFORMING SCHOOL INSPECTIONS FOR ANY LOCAL JURISDICTION SHALL
12 INSPECT ACCORDING TO THE ELECTRICAL STANDARDS AS ADOPTED BY THE
13 BOARD PURSUANT TO SECTION 12-23-104 (2) (a).

14 **SECTION 2.** In Colorado Revised Statutes, 12-58-114.5, **amend**
15 (5) and (6) as follows:

16 **12-58-114.5. Inspection - application - standards.**

17 (5) Notwithstanding the fact that any incorporated town or city, any
18 county, or any city and county in which a public school is located or is to
19 be located has its own plumbing code and inspection authority, any
20 plumbing or gas piping installation in any new construction or remodeling
21 or repair of a public school shall be inspected by EITHER a state plumbing
22 inspector OR A LOCAL PLUMBING CODE AND INSPECTION AUTHORITY AT
23 THE DISCRETION OF THE SCHOOL DISTRICT. THE SCHOOL DISTRICT SHALL
24 NOTIFY THE BOARD ON OR BEFORE OCTOBER 1 OF THE PRECEDING YEAR
25 WHETHER THE SCHOOL DISTRICT WILL USE A STATE PLUMBING INSPECTOR
26 OR A LOCAL PLUMBING CODE AND INSPECTION AUTHORITY TO PERFORM
27 PLUMBING INSPECTIONS OF THE SCHOOLS OF THE SCHOOL DISTRICT DURING

1 THE SUBSEQUENT STATE FISCAL YEAR. THE SCHOOL DISTRICT SHALL USE
2 THE DESIGNATED PLUMBING INSPECTOR FOR ALL OF THE SCHOOLS OF THE
3 SCHOOL DISTRICT, UNLESS THE SCHOOL DISTRICT HAS DESIGNATED A
4 LOCAL PLUMBING CODE AND INSPECTION AUTHORITY TO PERFORM
5 INSPECTIONS AND THE SCHOOL BUILDING BEING INSPECTED IS LOCATED IN
6 A JURISDICTION THAT DOES NOT HAVE A LOCAL PLUMBING CODE AND
7 INSPECTION AUTHORITY, IN WHICH CASE A STATE PLUMBING INSPECTOR
8 SHALL PERFORM THE INSPECTION. IF A SCHOOL DISTRICT DESIGNATES A
9 LOCAL PLUMBING CODE AND INSPECTION AUTHORITY TO PERFORM THE
10 INSPECTIONS OF THE SCHOOLS OF THE SCHOOL DISTRICT, THE SCHOOL
11 DISTRICT SHALL INCLUDE IN ITS NOTIFICATION TO THE BOARD A LISTING OF
12 THE SCHOOLS OF THE SCHOOL DISTRICT THAT ARE LOCATED IN A
13 JURISDICTION THAT DOES NOT HAVE A LOCAL PLUMBING CODE AND
14 INSPECTION AUTHORITY.

15 (6) (a) In the event that any incorporated town or city, any county,
16 or any city and county intends to commence or cease performing
17 plumbing or gas piping inspections in its respective jurisdiction, IT SHALL
18 COMMENCE OR CEASE INSPECTIONS ONLY AS OF JULY 1 OF ANY YEAR, AND
19 written notice of such intent shall be given to the board ON OR BEFORE
20 OCTOBER 1 OF THE PRECEDING CALENDAR YEAR. IF SUCH NOTICE IS NOT
21 GIVEN AND THE USE OF STATE PLUMBING INSPECTORS IS REQUIRED WITHIN
22 THE JURISDICTION, THE RESPECTIVE LOCAL GOVERNMENT OF THE
23 JURISDICTION REQUIRING SUCH INSPECTIONS SHALL REIMBURSE THE
24 EXAMINING BOARD OF PLUMBERS FOR ANY EXPENSES INCURRED IN
25 PERFORMING SUCH INSPECTIONS, IN ADDITION TO TRANSMITTING THE
26 REQUIRED PERMIT FEES.

27 (b) STATE PLUMBING INSPECTORS AND PLUMBING INSPECTORS

1 PERFORMING SCHOOL INSPECTIONS FOR ANY LOCAL JURISDICTION SHALL
2 INSPECT ACCORDING TO THE PLUMBING AND GAS STANDARDS IN THE
3 COLORADO PLUMBING CODE AS ESTABLISHED BY THE BOARD PURSUANT
4 TO SECTION 12-58-114.5 (1).

5 **SECTION 3. Act subject to petition - effective date -**
6 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
7 the expiration of the ninety-day period after final adjournment of the
8 general assembly (August 7, 2013, if adjournment sine die is on May 8,
9 2013); except that, if a referendum petition is filed pursuant to section 1
10 (3) of article V of the state constitution against this act or an item, section,
11 or part of this act within such period, then the act, item, section, or part
12 will not take effect unless approved by the people at the general election
13 to be held in November 2014 and, in such case, will take effect on the
14 date of the official declaration of the vote thereon by the governor.

15 (2) The provisions of this act apply to local inspections conducted
16 on or after the applicable effective date of this act.