

SENATE FILE NO. SF0065

Electrical safety enforcement-amendments.

Sponsored by: Senator(s) Salazar and Representative(s)  
Newsome

A BILL

for

1 AN ACT relating to fire protection and electrical safety;  
2 amending requirements for the delegation of authority to  
3 municipalities and counties to enforce and interpret local  
4 or state fire building and electrical safety standards as  
5 specified; and providing for an effective date.

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

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9       **Section 1.** W.S. 35-9-121(a)(iii) through (v) and (b)  
10 is amended to read:

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12       **35-9-121. Local enforcement.**

13

14       (a) The state fire marshal shall delegate complete  
15 authority to municipalities and counties which apply to

1 enforce and interpret local or state fire, building,  
2 existing building standards or electrical safety standards  
3 which meet the requirements of this section. The state fire  
4 marshal shall notify the governing body of the municipality  
5 or county of the minimum standards and requirements of this  
6 act and W.S. 16-6-501 and 16-6-502 and transfer  
7 jurisdiction and authority by letter. Except as provided in  
8 W.S. 35-9-119(a)(i) and subsection (b) of this section,  
9 nothing in this section affects the authority of the state  
10 fire marshal or chief electrical inspector regarding state  
11 owned or leased buildings. Local enforcement authority  
12 under this subsection shall be subject to the following  
13 requirements and certification of inspectors:

14

15 (iii) If code enforcement authority for fire and  
16 building codes is requested, certification of a fire  
17 inspector or building inspector, as applicable, by the  
18 International Code Council ~~or the International Conference~~  
19 ~~of Building Officials~~ is required for any inspector  
20 employed or contracted after July 1, 2010 to enforce those  
21 codes for the municipality or county;

22

1           (iv) If code enforcement authority for the  
2 electrical code is requested, certification of an  
3 electrical inspector by either the International Code  
4 Council or the International Association of Electrical  
5 Inspectors ~~and~~or licensing by the state as a journeyman or  
6 master electrician is required. Code enforcement authority  
7 for individual categories of residential electrical code  
8 provisions and commercial electrical code provisions may be  
9 individually requested and granted under this paragraph  
10 based on the corresponding type of certification held;

11

12           (v) If a municipality or county that has been  
13 granted local enforcement authority under this subsection  
14 fails to maintain employment of an inspector holding any  
15 the appropriate certification required by this subsection,  
16 enforcement authority previously granted under this  
17 subsection shall revert to the department one hundred  
18 twenty (120) days after the last day the properly certified  
19 inspector has left the employment of the municipality or  
20 county, except that the chief electrical inspector may  
21 delay the reversion of enforcement authority to the  
22 department for a specified time period not to exceed an  
23 additional one hundred twenty (120) days upon a showing of

1 good cause by the municipality or county. It shall be the  
2 responsibility of the municipality or county to notify the  
3 department upon the termination of employment of any  
4 certified inspector required by this subsection.

5  
6 (b) Notwithstanding the provisions of subsection (a)  
7 of this section a local governmental entity is authorized  
8 to assume sole plan review authority, and, in accordance  
9 with W.S. 35-9-107(a)(iv), that entity has sole  
10 construction inspection authority on the approved plans and  
11 sole authority for periodic fire and life safety  
12 inspections on state owned or leased buildings. For the  
13 purpose of this section, school buildings shall be  
14 construed to be state buildings. If local code provisions  
15 are more stringent than adopted state codes, the local code  
16 prevails. The authority granted to local governmental  
17 entities under this subsection is subject to certification  
18 of local plan reviewers and inspectors as follows:

19  
20 (i) If sole plan review authority is requested,  
21 certification of a ~~plan reviewer~~ building plans examiner by  
22 ~~the international conference of building officials or~~ the  
23 International Code Council;

1

2 (ii) If code enforcement authority for the fire  
3 ~~and code or the~~ building ~~codes~~ code is requested,  
4 certification of a fire inspector or building inspector, as  
5 applicable, by the International Code Council; ~~or the~~  
6 ~~International Conference of Building Officials;~~

7

8 (iii) If code enforcement authority for the  
9 electrical code is requested, certification of ~~an~~ a  
10 commercial electrical inspector by the International Code  
11 Council, ~~or certification of a master electrical inspector~~  
12 by the International Association of Electrical Inspectors  
13 ~~and or~~ licensing by the state as a master electrician.

14

15 **Section 2.** This act is effective July 1, 2022.

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(END)