

SENATE FILE NO. SF0154

Plumber licensing.

Sponsored by: Senator(s) Hastert and Representative(s)
Barbuto and Blake

A BILL

for

1 AN ACT relating to professions and occupations; providing
2 for the licensing of plumbers; providing definitions;
3 creating a board of plumber examiners; providing duties and
4 powers of the board; establishing licensing procedures and
5 criteria; providing for fees; providing for examinations
6 and continuing education; providing for exemptions as
7 specified; providing for revocation or suspension of
8 licenses; granting rulemaking authority; providing an
9 appropriation; and providing for an effective date.

10

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

12

13 **Section 1.** W.S. 33-47-101 through 33-47-123 are
14 created to read:

15

16

CHAPTER 47

1 PLUMBERS LICENSING ACT

2

3 **33-47-101. Short title.**

4

5 This act shall be known and may be cited as the "Plumbers
6 Licensing Act."

7

8 **33-47-102. Definitions.**

9

10 (a) As used in this chapter:

11

12 (i) "Board" means the board of plumber
13 examiners;

14

15 (ii) "Gas piping" means any arrangement of
16 piping used to convey fuel gas, supplied by one meter, and
17 each arrangement of gas piping serving a building,
18 structure or premises, whether individually metered or not.
19 "Gas piping" or "gas piping system" does not include the
20 installation of gas appliances where existing service
21 connections are already installed, nor does the term
22 include the installations, alterations or maintenance of
23 gas utilities owned by a public utility;

24

1 (iii) "Journeyman plumber" means any person
2 other than a master plumber, residential plumber or
3 plumber's apprentice who engages in or works at the actual
4 installation, alteration, repair and renovation of plumbing
5 in accordance with the standards, rules and regulations
6 established by the board;

7

8 (iv) "Master plumber" means a person who has the
9 necessary qualifications, training, experience and
10 technical knowledge to properly plan, lay out and install
11 and repair plumbing apparatus and equipment, including the
12 supervision of the planning, out, installation and repair,
13 in accordance with the standards, rules and regulations
14 established by the board;

15

16 (v) "Plumbing" includes the following items
17 located within the building or extending five feet from the
18 building foundation, excluding any service line extending
19 from the first joint to the property line:

20

21 (A) All potable water supply and
22 distribution pipes and piping;

23

24 (B) All plumbing fixtures and traps;

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(C) All drainage and vent pipes;

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(D) All building drains, including their
respective joints and connections, devices, receptacles and
appurtenances;

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(E) All multipurpose residential fire
sprinkler systems in one and two family dwellings and
townhouses that are part of the potable water supply; and

(F) All medical gas and vacuum systems in
health care facilities.

(vi) "Plumbing apprentice" means any person
other than a master, journeyman or residential plumber who,
as his principal occupation, is engaged in learning and
assisting in the installation of plumbing;

(vii) "Plumbing contractor" means any person who
undertakes or offers to undertake for another the planning,
laying out, supervising, installing or making of additions,
alterations and repairs in the installation of plumbing. In

1 order to act as a plumbing contractor, the person shall
2 either be or employ full-time a master plumber;

3

4 (viii) "Potable water" means water which is safe
5 for drinking, culinary and domestic purposes and which
6 meets the requirements of the department of health;

7

8 (ix) "Residential plumber" means any person
9 other than a master or journeyman plumber or plumbing
10 apprentice who has the necessary qualifications, training,
11 experience and technical knowledge, as specified by the
12 board, to install plumbing and equipment in one, two, three
13 and four family dwellings which do not extend more than two
14 stories above ground.

15

16 **33-47-103. Board of plumber examiners.**

17

18 (a) There is hereby established the board of plumber
19 examiners, to consist of the following members appointed by
20 the governor:

21

22 (i) A journeyman plumber;

23

24 (ii) A master plumber;

1

2 (iii) Two (2) persons engaged in the
3 construction of residential or commercial buildings as
4 plumbing contractors;

5

6 (iv) A person engaged in the construction of
7 residential or commercial buildings as a general
8 contractor;

9

10 (v) A member or employee of a local government
11 conducting plumbing inspections;

12

13 (vi) A person appointed from the public at
14 large;

15

16 (vii) A representative of the department of
17 health shall serve as an ex officio nonvoting member.

18

19 (b) A majority of the board shall constitute a quorum
20 for the transaction of all business.

21

22 (c) The members appointed by the governor shall serve
23 for a term of four (4) years, except three (3) of the
24 initial appointments shall be for a term of two (2) years.

1 Each member shall hold office until his successor is
2 appointed and has been qualified. The governor may remove
3 any member of the board as provided by W.S. 9-1-202. A
4 vacancy occurring in the board by death, resignation or
5 otherwise, shall be filled by appointment by the governor
6 upon recommendation of the remaining board members for the
7 unexpired term.

8

9 **33-47-104. Powers of board; fees; rules.**

10

11 (a) The board is authorized and empowered to:

12

13 (i) Elect its own officers and prescribe their
14 duties;

15

16 (ii) Conduct examinations as required by this
17 act;

18

19 (iii) Grant the licenses of duly qualified
20 applicants for residential plumbers, journeymen plumbers
21 and master plumbers as provided in this act;

22

23 (iv) Establish fees for the issuance or renewal
24 of a license under this act;

1

2 (v) Promulgate rules as may be necessary for the
3 orderly conduct of its affairs and for the administration
4 of this act;

5

6 (vi) Prescribe rules and regulations governing
7 the plumbing, drainage, sewerage and plumbing ventilation
8 of all buildings in this state;

9

10 (vii) Conduct hearings in accordance with the
11 provisions of the Wyoming Administrative Procedure Act;

12

13 (viii) Cause the enjoinder, in any court of
14 competent jurisdiction, of all persons violating this act;

15

16 **33-47-105. Exceptions.**

17

18 (a) The provisions of this act shall not apply to:

19

20 (i) The installation, extension, alteration or
21 maintenance, including the related water piping and the
22 indirect waste piping therefrom, of domestic appliances
23 equipped with backflow preventers, including lawn
24 sprinkling systems, residential ice makers, humidifiers,

1 electrostatic filter washers, water heating appliances,
2 water conditioning appliances not directly connected to the
3 sanitary sewer system, building heating appliances and
4 systems, fire protection systems except for multipurpose
5 residential fire sprinkler systems in one and two family
6 dwellings and townhouses that are part of the potable water
7 supply, air conditioning installations, process and
8 industrial equipment and piping systems or indirect
9 drainage systems not a part of a sanitary sewer system;

10

11 (ii) The repair and replacement of garbage
12 disposal units and dishwashers directly connected to the
13 sanitary sewer system, including the necessary replacement
14 of all tail pipes and traps or the repair, maintenance and
15 replacement of sinks, faucets, drains, showers, tubs and
16 toilets;

17

18 (iii) Installations, extensions, improvements,
19 remodeling, additions and alterations in water and sewer
20 systems owned or acquired by counties, cities, towns or
21 water and sanitation districts;

22

23 (iv) Installations, extensions, improvements,
24 remodeling, additions and alterations performed by

1 contractors employed by counties, cities, towns or water
2 and sewer districts which connect to the plumbing system
3 within a property line;

4

5 (v) Performance, location, construction,
6 alteration, installation and use of individual sewage
7 disposal systems which are located within a property line.

8

9 **33-47-106. Required license; control and supervision.**

10

11 (a) No person shall engage in or work at the
12 business, trade or calling of a residential, journeyman or
13 master plumber in this state until the person has received
14 a license or a temporary permit pursuant to this act.

15

16 (b) All plumbing apprentices working for plumbing
17 contractors pursuant to this act and all apprentices
18 working under the supervision of any licensed plumber
19 shall, within thirty (30) days after the date of initial
20 employment, be registered with the board. The employer of
21 a plumbing apprentice shall be responsible for the
22 apprentice's registration with the board. No apprentice
23 shall be registered until payment of a registration or

1 registration renewal fee, as determined by the board, has
2 been made.

3

4 (c) No person shall operate as a plumbing contractor
5 until the contractor has obtained registration from the
6 board. The board shall register a plumbing contractor upon
7 payment of the fee as provided in W.S. 33-47-104 and
8 presentation of evidence that the applicant has complied
9 with the applicable workers' compensation and unemployment
10 compensation laws of this state. In order to act as a
11 plumbing contractor, the person must either be or employ
12 full-time, a master plumber, who shall be in charge of the
13 supervision of all plumbing work performed by the
14 contractor. A master plumber shall be responsible for no
15 more than one (1) plumbing contractor at a time. The master
16 plumber shall be required to notify the board within
17 fifteen days after his or her termination as a master
18 plumber for that plumbing contractor. The master plumber is
19 responsible for all plumbing work performed by the plumbing
20 contractor. Failure to comply with a notification may lead
21 to suspension or revocation of the master plumber license
22 as provided in W.S. 33-47-111.

23

24 **33-47-107. Unauthorized use of title of plumber.**

1

2 No person shall advertise in any manner or use the title or
3 designation of master plumber, journeyman plumber, plumbing
4 contractor or residential plumber unless the person is
5 qualified and licensed under this act.

6

7 **33-47-108. License issuance; examination.**

8

9 (a) The board shall issue licenses to persons who
10 have by examination and experience shown themselves
11 competent and qualified to engage in the business, trade or
12 calling of a residential plumber, journeyman plumber or
13 master plumber. The board shall establish the minimum level
14 of experience required for an applicant to receive a
15 residential, journeyman or master plumber's license. The
16 maximum experience the board may require for an applicant
17 to qualify to receive a residential plumber's license is
18 two (2) years or three thousand four hundred (3,400) hours
19 of practical experience. The maximum experience the board
20 may require for an applicant to qualify to receive a
21 journeyman plumber's license is four (4) years or six
22 thousand eight hundred (6,800) hours of practical
23 experience. An applicant for a master plumber's license

1 shall furnish evidence that the person has five (5) years
2 of practical experience.

3

4 (b) Any applicant for a license under this act shall
5 be permitted to substitute for required practical
6 experience evidence of academic training in the plumbing
7 field, which shall be credited as follows:

8

9 (i) If the person is a graduate of a community
10 college or trade school plumbing program approved by the
11 board, the person shall receive one (1) year of work
12 experience credit;

13

14 (ii) If the person has academic training,
15 including military training, in the plumbing field which is
16 not sufficient to qualify under paragraph (i) of this
17 subsection, the board shall provide work experience credit
18 for the training according to a uniform ratio established
19 by rule and regulation.

20

21 (c) No license shall be issued until the applicant
22 has paid a license fee set by the board pursuant to this
23 act.

24

1 (d) An applicant for a license under this act shall
2 file an application on forms prepared and furnished by the
3 board, together with the examination fee. The time and
4 place of examination shall be designated in advance by the
5 board, and examinations shall be held at least four (4)
6 times each calendar year and at the other times as, in the
7 opinion of the board, the number of applicants warrants.
8 The application and examination may be internet based to
9 the extent practicable.

10

11 (e) The contents of the examinations provided for in
12 this section shall be determined by the board. The
13 examination shall be administered by the board pursuant to
14 rules prescribed by the board. Each examination shall be
15 designed and given in the a manner as to fairly test the
16 applicant's knowledge of plumbing and rules and regulations
17 governing plumbing. Examinations may include written tests
18 and applied tests of the practices which the license will
19 qualify the applicant to perform and the related studies or
20 subjects as the board may determine are necessary for the
21 proper and efficient performance of the practices. The
22 examinations shall be consistent with current practical and
23 theoretical requirements of the practice of plumbing and
24 shall be reviewed, revised and updated on an annual basis

1 by the board. The board shall ensure that the examination
2 passing grade reflects a minimum level of competency.

3

4 **33-47-109. Credit for experience not subject to**
5 **supervision of a licensed plumber.**

6

7 For all applicants seeking work experience credit toward
8 licensure, the board shall give credit for plumbing work
9 that is not required to be performed by or under the
10 supervision of a licensed plumber if the applicant can show
11 that the particular experience received or the supervision
12 under which the work has been performed is adequate. Work
13 experience credit awarded under this section shall not
14 exceed one-half (1/2) of the applicable experience
15 requirement for a license issued under this act.

16

17 **33-47-110. License renewal; reinstatement.**

18

19 Any license that has lapsed shall be deemed to have
20 expired. Prior to reinstatement, the board is authorized to
21 require the licensee to demonstrate competency. Licenses
22 shall be renewed or reinstated pursuant to a schedule
23 established by the board. The board may establish renewal
24 fees and delinquency fees for reinstatement. If a person

1 fails to renew his or her license pursuant to the schedule
2 established by the board, the license shall expire. Any
3 person whose license has expired shall be subject to the
4 penalties provided in this act.

5

6 **33-47-111. Disciplinary action by board; licenses or**
7 **registrations denied, suspended or revoked; cease-and-**
8 **desist orders.**

9

10 (a) The board may deny, suspend, revoke or refuse to
11 renew any license or registration issued or applied for
12 under the provisions of this act or place a licensee or a
13 registrant on probation for any of the following reasons:

14

15 (i) Violation of any of the provisions of this
16 act;

17

18 (ii) Violation of the rules and regulations or
19 orders promulgated by the board in conformity with the
20 provisions of this act or aiding or abetting in the
21 violation;

22

23 (iii) Failure or refusal to remove within a
24 reasonable time the cause for disapproval of any plumbing

1 installation as reported on the notice of disapproval, but
2 the reasonable time shall include time for appeal to and a
3 hearing before the board;

4

5 (iv) Any cause for which the issuance of the
6 license could have been refused had it then existed and
7 been known to the board;

8

9 (v) Commitment of any act or omission that does
10 not meet generally accepted standards of plumbing practice;

11

12 (vi) Conviction of or acceptance of a plea of
13 guilty or nolo contendere to any felony or conviction of
14 any crime or offense that reflects the inability of the
15 person to practice a profession licensed under this act
16 with due regard for the health and safety of the public. A
17 copy of the conviction certified by the clerk of the court
18 entering the conviction is conclusive evidence of the
19 conviction;

20

21 (vii) Advertising by any licensee or registrant
22 which is false or misleading;

23

1 (viii) Deception, misrepresentation or fraud in
2 obtaining or attempting to obtain a license;

3

4 (ix) Failure of any licensee to adequately
5 supervise an apprentice who is working at the trade
6 pursuant to W.S. 33-47-123;

7

8 (x) Failure of any licensee to report to the
9 board:

10

11 (A) Known violations of this act;

12

13 (B) Civil judgments and settlements which
14 arose from the licensee's work performance.

15

16 (xi) Employment of any person required by this
17 act to be licensed or to obtain a permit who has not
18 obtained the license or permit;

19

20 (xii) Habitual intemperance with respect to or
21 excessive use of any habit-forming drug, any controlled
22 substance or any alcoholic beverage;

23

1 (xiii) Any use of a schedule I controlled
2 substance, as defined in W.S. 35-7-1013 and 35-7-1014;

3

4 (xiv) Disciplinary action against a plumber's
5 license in another jurisdiction. Evidence of the
6 disciplinary action shall be prima facie evidence for
7 denial of licensure or other disciplinary action if the
8 violation would be grounds for the disciplinary action in
9 this state;

10

11 (xv) Practicing as a residential, journeyman or
12 master plumber during a period when the person's license
13 has been suspended or revoked;

14

15 (xvi) Selling or fraudulently obtaining or
16 furnishing a license to practice as a residential,
17 journeyman or master plumber or aiding or abetting in the
18 activity;

19

20 (xvii) In connection with a construction or
21 building project requiring the services of a person
22 regulated by this act, willfully disregarding or violating:

23

1 (A) Any building or construction law of
2 this state or any of its political subdivisions;

3

4 (B) Any safety or labor law;

5

6 (C) Any health law;

7

8 (D) Any workers' compensation insurance
9 law;

10

11 (E) Any state or federal law governing
12 withholdings from employee income, including, but not
13 limited to, income taxes, unemployment taxes or social
14 security taxes; or

15

16 (F) Any reporting, notification or filing
17 law of this state or the federal government.

18

19 (b) When a complaint or investigation discloses an
20 instance of misconduct that, in the opinion of the board,
21 does not warrant formal action by the board but that should
22 not be dismissed as being without merit, a letter of
23 admonition may be issued and sent, by certified mail, to
24 the licensee.

1

2 (c) When a letter of admonition is sent by the board,
3 by certified mail, to a licensee, the licensee shall be
4 advised that the person has the right to request in
5 writing, within twenty days after receipt of the letter,
6 that formal disciplinary proceedings be initiated to
7 adjudicate the propriety of the conduct upon which the
8 letter of admonition is based.

9

10 (d) If the request for adjudication is timely made,
11 the letter of admonition shall be deemed vacated and the
12 matter shall be processed by means of formal disciplinary
13 proceedings.

14

15 (e) When a complaint or investigation discloses an
16 instance of conduct that does not warrant formal action by
17 the board and, in the opinion of the board, the complaint
18 should be dismissed, but the board has noticed indications
19 of possible errant conduct by the licensee or registrant
20 that could lead to serious consequences if not corrected, a
21 confidential letter of concern may be issued and sent to
22 the licensee or registrant.

23

1 (f) Any disciplinary action taken by the board and
2 judicial review of the action shall be in accordance with
3 the provisions of the Wyoming Administrative Procedure Act.

4
5 (g) When a complaint or an investigation discloses an
6 instance of misconduct that, in the opinion of the board,
7 warrants formal action, the complaint shall not be resolved
8 by a deferred settlement, action, judgment or prosecution.

9
10 (h) If it appears to the board, based upon credible
11 evidence as presented in a written complaint by any person,
12 that a licensee or registrant is acting in a manner that is
13 an imminent threat to the health and safety of the public
14 or a person is acting or has acted without the required
15 license or registration, the board may issue an order to
16 cease and desist the activity. The order shall set forth
17 the statutes and rules alleged to have been violated, the
18 facts alleged to have constituted the violation and the
19 requirement that all unlawful acts or unlicensed or
20 unregistered practices immediately cease.

21
22 (j) Within ten (10) days after service of the order
23 to cease and desist pursuant to subsection (h) of this
24 section, the respondent may request a hearing on the

1 question of whether acts or practices in violation of this
2 act have occurred.

3

4 (k) If it appears to the board, based upon credible
5 evidence as presented in a written complaint by any person,
6 that a person has violated any other portion of this act,
7 then, in addition to any specific powers granted pursuant
8 to this act, the board may issue to the person an order to
9 show cause as to why the board should not issue a final
10 order directing the person to cease and desist from the
11 unlawful act or unlicensed or unregistered practice.

12

13 (m) A person against whom an order to show cause has
14 been issued pursuant to subsection (k) of this section
15 shall be promptly notified by the board of the issuance of
16 the order, along with a copy of the order, the factual and
17 legal basis for the order and the date set by the board for
18 a hearing on the order. The notice may be served by
19 personal service, by first-class United States mail,
20 postage prepaid or as may be practicable upon any person
21 against whom the order is issued. Personal service or
22 mailing of an order or document pursuant to this subsection
23 shall constitute notice thereof to the person.

24

1 (n) The hearing on an order to show cause shall be
2 commenced no sooner than ten (10) and no later than forty-
3 five (45) calendar days after the date of transmission or
4 service of the notification by the board as provided in
5 subsection (m) of this section. The hearing may be
6 continued by agreement of all parties based upon the
7 complexity of the matter, number of parties to the matter
8 and legal issues presented in the matter, but in no event
9 shall the hearing commence later than sixty calendar days
10 after the date of transmission or service of the
11 notification.

12

13 (o) If a person against whom an order to show cause
14 has been issued pursuant to subsection (k) of this section
15 does not appear at the hearing, the board may present
16 evidence that notification was properly sent or served upon
17 the person pursuant to subsection (m) of this section and
18 the other evidence related to the matter as the board deems
19 appropriate. The board shall issue the order within ten
20 (10) days after the board's determination related to
21 reasonable attempts to notify the respondent and the order
22 shall become final as to that person by operation of law.

23

1 (p) If the board reasonably finds that the person
2 against whom the order to show cause was issued is acting
3 or has acted without the required license or registration
4 or has or is about to engage in acts or practices
5 constituting violations of this act, a final cease-and-
6 desist order may be issued, directing the person to cease
7 and desist from further unlawful acts or unlicensed or
8 unregistered practices.

9

10 (q) The board shall provide notice, in the manner set
11 forth in subsection (m) of this section, of the final
12 cease-and-desist order within ten (10) calendar days after
13 the hearing conducted pursuant to subsection (n) of this
14 section to each person against whom the final order has
15 been issued. The final order issued pursuant to subsection
16 (o) of this section shall be effective when issued and
17 shall be a final order for purposes of judicial review.

18

19 (r) If it appears to the board, based upon credible
20 evidence presented to the board, that a person has engaged
21 in or is about to engage in any unlicensed or unregistered
22 act or practice, any act or practice constituting a
23 violation of this act, any rule promulgated pursuant to
24 this act, any order issued pursuant to this act or any act

1 or practice constituting grounds for administrative
2 sanction pursuant to this act, the board may enter into a
3 stipulation with the person.

4

5 (s) If any person fails to comply with a final cease-
6 and-desist order or a stipulation, the board may request
7 the attorney general or the district attorney for the
8 judicial district in which the alleged violation exists to
9 bring suit for a temporary restraining order and for
10 injunctive relief to prevent any further or continued
11 violation of the final order.

12

13 **33-47-112. Reapplication after revocation of**
14 **licensure.**

15

16 No person whose license has been revoked shall be allowed
17 to reapply for licensure earlier than two (2) years from
18 the effective date of the revocation.

19

20 **33-47-113. Reconsideration and review of board**
21 **action.**

22

23 The board, on its own motion or upon application, at any
24 time after the imposition of any discipline as provided for

1 in W.S. 33-47-111, may reconsider its prior action and
2 reinstate or restore the license or terminate probation or
3 reduce the severity of its prior disciplinary action. The
4 taking of any further action or the holding of a hearing
5 with respect thereto shall rest in the sole discretion of
6 the board.

7

8 **33-47-114. Immunity.**

9

10 Any member of the board, any member of the board's staff,
11 any person acting as a witness or consultant to the board,
12 any witness testifying in a proceeding authorized under
13 this act and any person who lodges a complaint pursuant to
14 this act shall be immune from liability in any civil action
15 brought against him or her for acts occurring while acting
16 in his or her capacity as board member, staff, consultant
17 or witness, respectively, if the individual was acting in
18 good faith within the scope of his or her respective
19 capacity, made a reasonable effort to obtain the facts of
20 the matter as to which the person acted and acted in the
21 reasonable belief that the action taken by him or her was
22 warranted by the facts. Any person participating in good
23 faith in lodging a complaint or participating in any
24 investigative or administrative proceeding pursuant to this

1 act shall be immune from any civil or criminal liability
2 that may result from the person's participation.

3

4 **33-47-115. License by endorsement.**

5

6 The board may issue a plumber's license by endorsement in
7 this state to any person who is licensed to practice in
8 another jurisdiction if the person presents proof
9 satisfactory to the board that, at the time of application
10 for a license under this act by endorsement, the person
11 possesses credentials and qualifications which are
12 substantially equivalent to requirements under this act for
13 licensure by examination. The board may specify by rule and
14 regulation what shall constitute substantially equivalent
15 credentials and qualifications and may further require a
16 waiting period of six months after the issuance of a
17 license in another state before issuing a license in this
18 state.

19

20 **33-47-116. Temporary permits.**

21

22 (a) The board may issue a temporary permit to engage
23 in the work of a journeyman plumber or a residential
24 plumber to any applicant who has furnished satisfactory

1 evidence to the board that the person has the required
2 experience to qualify for the examination, as provided in
3 the rules and regulations promulgated by the board and who
4 has applied for an examination to entitle him to the
5 license.

6

7 (b) Temporary permits shall be issued only upon
8 payment of a fee established by the board and may be
9 revoked by the board at any time.

10

11 (c) Any permit issued pursuant to this section shall
12 expire no later than thirty (30) days after the date of the
13 examination for which the applicant has applied or upon
14 written notice by the board of the results of the
15 examination, whichever date is earlier. No permit shall be
16 issued pursuant to this section to any person who has twice
17 previously failed an examination or who has received two
18 (2) temporary permits.

19

20 (d) Notwithstanding the requirements set forth in
21 subsection (a) of this section, a temporary master permit
22 may be issued to an existing plumbing contractor who has
23 lost the services of his master plumber for completion of a
24 current project underway as long as the person has a

1 journeyman plumber in his full-time employ. This shall only
2 be valid until the next regularly scheduled examination.

3

4 **33-47-117. Exemptions.**

5

6 (a) Any person selling or dealing in plumbing
7 materials or supplies, but not engaged in the installation,
8 alteration, repairing, or removal of plumbing, shall not be
9 required to employ or have a licensed plumber in charge.

10

11 (b) Nothing in this act shall be construed to require
12 any individual to hold a license to perform plumbing work
13 on his own property or residence, nor shall it prevent a
14 person from employing an individual on either a full-time
15 or a part-time basis to do routine repair, maintenance and
16 replacement of sinks, faucets, drains, showers, tubs,
17 toilets and domestic appliances and equipment equipped with
18 backflow preventers. However, if the property or residence
19 is intended for sale or resale by a person engaged in the
20 business of constructing or remodeling the facilities or
21 structures or is rental property which is occupied or is to
22 be occupied by tenants for lodging, either transient or
23 permanent or is a commercial or industrial building, the
24 owner shall be responsible for and the property shall be

1 subject to all of the provisions of this act pertaining to
2 licensing, unless specifically exempted therein.

3

4 (c) Persons who are engaged in the business of
5 inspecting, testing and repairing backflow prevention
6 devices shall be exempt from licensure under this act,
7 except when the persons engage in the installation and
8 removal of the devices.

9

10 (d) Nothing in this act shall be construed to require
11 either that employees of the federal government who perform
12 plumbing work on federal property shall be required to be
13 licensed before doing plumbing work on the property or that
14 the plumbing work performed on the property shall be
15 regulated pursuant to this act.

16

17 **33-47-118. Disposition of fees.**

18

19 The board of plumber examiners account is created. Funds
20 received by the board pursuant to this act shall be
21 deposited into the account. Income earned on amounts
22 within the account shall be credited to the account. Funds
23 in the account are continuously appropriated to the board

1 for the operation and management of the board and the
2 administration of this act.

3

4 **33-47-119. State plumbing inspectors.**

5

6 (a) The board is authorized to appoint or employ
7 competent persons as state plumbing inspectors.

8

9 (b) State plumbing inspectors may be employed either
10 on a full-time or on a part-time basis as the circumstances
11 in each case warrant. State plumbing inspectors have the
12 right of ingress and egress to and from all public and
13 private premises during reasonable working hours where this
14 act applies for the purpose of making plumbing inspections
15 or otherwise determining compliance with the provisions of
16 this act.

17

18 **33-47-120. Municipal and county regulations.**

19

20 (a) Any city, town, county or city and county of this
21 state may provide for the licensing of plumbing
22 contractors.

23

1 (b) No local government agency may promulgate rules
2 or regulations or provide for licenses which would preclude
3 the holder of a valid license issued under this act from
4 practicing his trade.

5

6 **33-47-121. Unauthorized practice; penalties.**

7

8 Any person who engages in or works at or offers or attempts
9 to engage in or work at the business, trade or calling of a
10 residential, journeyman, master or apprentice plumber
11 without an active license, permit or registration issued
12 under this act commits a misdemeanor punishable by a fine
13 of not more than one thousand dollars (\$1,000.00),
14 imprisonment for not more than six (6) months, or both.

15

16 **33-47-122. Violation; fines; rules.**

17

18 (a) If the board concludes that any licensee,
19 registrant or applicant for licensure has violated any
20 provision of this act and that disciplinary action is
21 appropriate, the board may issue a citation to the
22 licensee, registrant or applicant.

23

1 (b) All hearings conducted pursuant to this act shall
2 be conducted in compliance with the Wyoming Administrative
3 Procedure Act.

4
5 (c) The board may suspend or revoke a license or
6 registration or may refuse to renew any license or
7 registration issued or may place on probation any licensee
8 or registrant if the licensee or registrant fails to comply
9 with the requirements set forth in a citation deemed final
10 pursuant to subsection (a) of this section.

11

12 (d) In any action brought to enforce this act,
13 reasonable attorney fees and costs may be awarded.

14

15 **33-47-123. Apprentices.**

16

17 (a) Any person may work as a plumbing apprentice for
18 a licensed plumber but shall not do any plumbing work for
19 which a license is required pursuant to this act except
20 under the supervision of a licensed plumber. Supervision
21 requires that the licensed plumber supervise apprentices at
22 the jobsite. One (1) licensed journeyman plumber, master
23 plumber or residential plumber shall not supervise more
24 than three (3) apprentice plumbers at the same jobsite.

1

2 (b) Any master, journeyman or residential plumber who
3 is the supervisor of any plumbing apprentice shall be
4 responsible for the work performed by the apprentice. The
5 license of any plumber may be revoked, suspended or denied
6 under the provisions of W.S. 33-47-111 for any improper
7 work performed by a plumbing apprentice while under the
8 supervision of the licensee.

9

10 **Section 2.** There is appropriated twenty-five thousand
11 dollars (\$25,000.00) from the general fund to the board of
12 plumber examiners account. This appropriation shall be for
13 the period beginning with the effective date of this act
14 and ending June 30, 2012. This appropriation shall only be
15 expended for the purpose of this act. Notwithstanding any
16 other provision of law, this appropriation shall not be
17 transferred or expended for any other purpose and any
18 unexpended, unobligated funds remaining from this
19 appropriation shall revert as provided by law on June 30,
20 2012. This appropriation shall be included in the board's
21 2013-2014 standard biennial budget request.

22

