

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

REREVISED

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

LLS NO. 19-0474.01 Thomas Morris x4218

HOUSE BILL 19-1035

HOUSE SPONSORSHIP

Rich and Roberts, Arndt, Beckman, Buentello, Galindo, Jaquez Lewis, Kipp, Liston, McCluskie, McLachlan, Soper, Titone, Valdez D.

SENATE SPONSORSHIP

Woodward and Ginal, Crowder, Donovan, Hisey, Moreno, Priola, Rankin, Scott, Smallwood, Tate

House Committees

Transportation & Local Government

Senate Committees

Local Government

A BILL FOR AN ACT

101 **CONCERNING AN INCREASE IN THE FLEXIBILITY TO SET FEES FOR**
102 **ELECTRICAL INSPECTIONS THAT ARE NOT CONDUCTED BY THE**
103 **STATE.**

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 prohibits local governments and state institutions of higher education from charging more than 15% more than the state charges to perform an inspection of electrical work. The bill deletes this cap.

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
3rd Reading Unamended
March 20, 2019

SENATE
Amended 2nd Reading
March 19, 2019

HOUSE
3rd Reading Unamended
January 31, 2019

HOUSE
Amended 2nd Reading
January 30, 2019

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

2

3 **SECTION 1.** In Colorado Revised Statutes, 12-23-117, **amend**
4 (2) as follows:

5 **12-23-117. Permit fees.** (2) (a) ~~Because electrical inspections are~~
6 ~~matters of statewide concern,~~ The maximum fees FEE, established
7 annually, chargeable for electrical inspections by any city, town, county,
8 city and county, or qualified state institution of higher education ~~shall~~
9 ~~MUST not be more than fifteen percent above those provided for in this~~
10 ~~section, and no such~~ ONE HUNDRED TWENTY DOLLARS, AS ADJUSTED
11 ANNUALLY, STARTING JANUARY 1, 2021, BASED ON THE ANNUAL
12 PERCENTAGE CHANGE IN THE UNITED STATES DEPARTMENT OF LABOR'S
13 BUREAU OF LABOR STATISTICS CONSUMER PRICE INDEX FOR
14 DENVER-AURORA-LAKEWOOD FOR ALL ITEMS PAID BY ALL URBAN
15 CONSUMERS, OR ITS APPLICABLE PREDECESSOR OR SUCCESSOR INDEX.
16 ADDITIONALLY, A LOCAL GOVERNMENT DESCRIBED IN THIS SUBSECTION
17 (2) OR A QUALIFIED STATE INSTITUTION OF HIGHER EDUCATION MAY
18 ADJUST THE FEE BY IMPOSING AN ADDITIONAL TIERED CHARGE BASED ON
19 SIZE OR VALUATION OF THE IMPROVEMENT AND A MULTIPLIER OF EIGHT
20 PERCENT OF THE FEE. NEITHER A local government or DESCRIBED IN THIS
21 SUBSECTION (2) NOR A qualified state institution of higher education shall
22 impose or collect any other fee or charge related to electrical inspections
23 or permits.

24 (b) A qualified state institution of higher education may choose
25 not to require fees as part of the permitting process. A documented
26 permitting and inspection system must be instituted by each qualified

1 state institution of higher education as a tracking system that is available
2 to the board for the purpose of investigating any alleged violation of this
3 ~~article~~ ARTICLE 23. The permitting and inspection system must include
4 information specifying the project, the name of the inspector, the date of
5 the inspection, the job-site address, the scope of the project, the type of
6 the inspection, the result of the inspection, the reason and applicable code
7 sections for partially passed or failed inspections, and the names of the
8 contractors on the project who are subject to inspection.

9 **SECTION 2. In Colorado Revised Statutes, 12-115-121, amend**
10 **as relocated by House Bill 19-1172 (2) as follows:**

11 **12-115-121. Inspection fees. (2) (a) ~~Because electrical~~**
12 **~~inspections are matters of statewide concern, The maximum fees FEE,~~**
13 **~~established annually, chargeable for electrical inspections by any city,~~**
14 **~~town, county, city and county, or qualified state institution of higher~~**
15 **~~education shall not be more than fifteen percent above those provided for~~**
16 **~~in this section, and no such~~ ONE HUNDRED TWENTY DOLLARS, AS**
17 **~~ADJUSTED ANNUALLY, STARTING JANUARY 1, 2021, BASED ON THE~~**
18 **~~ANNUAL PERCENTAGE CHANGE IN THE UNITED STATES DEPARTMENT OF~~**
19 **~~LABOR'S BUREAU OF LABOR STATISTICS CONSUMER PRICE INDEX FOR~~**
20 **~~DENVER-AURORA-LAKEWOOD FOR ALL ITEMS PAID BY ALL URBAN~~**
21 **~~CONSUMERS, OR ITS APPLICABLE PREDECESSOR OR SUCCESSOR INDEX.~~**
22 **~~ADDITIONALLY, A LOCAL GOVERNMENT DESCRIBED IN THIS SUBSECTION~~**
23 **~~(2) OR A QUALIFIED STATE INSTITUTION OF HIGHER EDUCATION MAY~~**
24 **~~ADJUST THE FEE BY IMPOSING AN ADDITIONAL TIERED CHARGE BASED ON~~**
25 **~~SIZE OR VALUATION OF THE IMPROVEMENT AND A MULTIPLIER OF EIGHT~~**
26 **~~PERCENT OF THE FEE. NEITHER A local government or DESCRIBED IN THIS~~**
27 **~~SUBSECTION (2) NOR A qualified state institution of higher education shall~~**

1 impose or collect any other fee or charge related to electrical inspections
2 or permits.

3 (b) A qualified state institution of higher education may choose
4 not to require fees as part of the permitting process. A documented
5 permitting and inspection system must be instituted by each qualified
6 state institution of higher education as a tracking system that is available
7 to the board for the purpose of investigating any alleged violation of this
8 article 115. The permitting and inspection system must include
9 information specifying the project, the name of the inspector, the date of
10 the inspection, the job-site address, the scope of the project, the type of
11 the inspection, the result of the inspection, the reason and applicable code
12 sections for partially passed or failed inspections, and the names of the
13 contractors on the project who are subject to inspection.

14 **SECTION 3. Act subject to petition - effective date.** (1) Except
15 as otherwise provided in subsection (2) of this section, this act takes
16 effect at 12:01 a.m. on the day following the expiration of the ninety-day
17 period after final adjournment of the general assembly (August 2, 2019,
18 if adjournment sine die is on May 3, 2019); except that, if a referendum
19 petition is filed pursuant to section 1 (3) of article V of the state
20 constitution against this act or an item, section, or part of this act within
21 such period, then the act, item, section, or part will not take effect unless
22 approved by the people at the general election to be held in November
23 2020 and, in such case, will take effect on the date of the official
24 declaration of the vote thereon by the governor.

25 (2) Section 2 of this act takes effect only if House Bill 19-1172
26 becomes law, in which case section 2 takes effect October 1, 2019.