

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 19-0347.01 Thomas Morris x4218

SENATE BILL 19-156

SENATE SPONSORSHIP

Rodriguez, Tate, Winter

HOUSE SPONSORSHIP

Sullivan,

Senate Committees

Business, Labor, & Technology
Finance
Appropriations

House Committees

Business Affairs & Labor
Finance

A BILL FOR AN ACT

101 **CONCERNING THE CONTINUATION OF THE STATE ELECTRICAL BOARD,**
102 **AND, IN CONNECTION THEREWITH, IMPLEMENTING THE**
103 **RECOMMENDATIONS CONTAINED IN THE 2018 SUNSET REPORT**
104 **BY THE DEPARTMENT OF REGULATORY AGENCIES.**

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/>.)

Sunset Process - Senate Business, Labor, and Technology Committee. The bill implements the recommendations of the department of regulatory agencies' sunset review and report on the state electrical

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
April 22, 2019

SENATE
Amended 2nd Reading
April 18, 2019

board by:

- ! Continuing the functions of the board for 13 years, until 2032 (**sections 1 and 2** of the bill);
- ! Repealing the limitations on the fees that local jurisdictions may charge (**sections 7 and 8**);
- ! Clarifying that cables and systems utilized for conveying power are not exempt from regulation when they are part of a building's electrical system (**section 7**);
- ! Defining "direct supervision", with regard to the oversight of apprentices, and "supervision" of electrical work (**sections 3, 6, and 9**);
- ! Repealing the requirement that the board notify an applicant that he or she is qualified to take a licensure examination (**section 5**);
- ! Directing the governor to consider that at least one of the 4 members of the board who must be a master or journeyman electrician should be an electrician who works primarily in the residential sector (**section 4**);
- ! Clarifying that traffic signals are exempt from regulation (**section 7**);
- ! Repealing redundant language regarding an inspection exemption and obsolete language regarding providing copies of the electrical code and standards (**section 7**); and
- ! Subjecting to regulation the alteration of existing facilities that are otherwise exempt from regulation (**section 7**).

Sections 10 through 17 make conforming amendments to harmonize the bill with House Bill 19-1172, the bill to recodify and reorganize title 12.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-34-104, **repeal**
3 (16)(a)(V); and **add** (33) as follows:

4 **24-34-104. General assembly review of regulatory agencies**
5 **and functions for repeal, continuation, or reestablishment - legislative**
6 **declaration - repeal.** (16) (a) The following agencies, functions, or both,
7 will repeal on July 1, 2019:

8 (V) ~~The state electrical board created in article 23 of title 12,~~
9 ~~C.R.S.;~~

1 (33) (a) THE FOLLOWING AGENCIES, FUNCTIONS, OR BOTH, ARE
2 SCHEDULED FOR REPEAL ON SEPTEMBER 1, 2032:

3 (I) THE STATE ELECTRICAL BOARD CREATED IN ARTICLE 23 OF
4 TITLE 12.

5 (b) THIS SUBSECTION (33) IS REPEALED, EFFECTIVE SEPTEMBER 1,
6 2034.

7 **SECTION 2.** In Colorado Revised Statutes, **amend** 12-23-102.5
8 as follows:

9 **12-23-102.5. Repeal of article.** This ~~article~~ ARTICLE 23 is
10 repealed, effective ~~July 1, 2019. Prior to such~~ SEPTEMBER 1, 2032.
11 BEFORE THE repeal, the state electrical board, including provisions
12 relating to qualified state institutions of higher education, ~~shall be~~
13 ~~reviewed as provided for in~~ IS SCHEDULED FOR REVIEW IN ACCORDANCE
14 WITH section 24-34-104. ~~C.R.S.~~

15 **SECTION 3.** In Colorado Revised Statutes, 12-23-101, **amend**
16 the introductory portion, (1.2), and (1.3); and **add** (1.1) and (6) as
17 follows:

18 **12-23-101. Definitions.** As used in this ~~article~~ ARTICLE 23, unless
19 the context otherwise requires:

20 (1.1) "BOARD" MEANS THE STATE ELECTRICAL BOARD CREATED IN
21 SECTION 12-23-102.

22 (1.2) ~~"Board" means the state electrical board~~ "DIRECT
23 SUPERVISION" MEANS THAT THE SUPERVISING LICENSED MASTER
24 ELECTRICIAN, JOURNEYMAN ELECTRICIAN, OR RESIDENTIAL WIREMAN IS
25 PHYSICALLY PRESENT AT THE SAME PHYSICAL ADDRESS WHERE THE
26 APPRENTICE IS WORKING.

27 (1.3) "Electric light, heat, and power" means the standard types of

1 electricity that are supplied by an electric utility, regardless of whether the
2 source is an electric utility or the inverter output circuit of a photovoltaic
3 system or a similar circuit from another type of renewable energy system
4 OR ELECTRIC VEHICLE CHARGING INFRASTRUCTURE, and used and
5 consumed in a real estate improvement or real estate fixture.

6 (6) "SUPERVISION" MEANS THE MANAGEMENT OF A PROJECT TO
7 ENSURE THAT WORK ON THE PROJECT IS DONE CORRECTLY AND
8 ACCORDING TO THE LAW.

9 **SECTION 4.** In Colorado Revised Statutes, 12-23-102, **amend**
10 (1) introductory portion as follows:

11 **12-23-102. State electrical board.** (1) There is hereby
12 established a state electrical board, which ~~shall consist~~ CONSISTS of nine
13 members appointed by the governor, with the consent of the senate, who
14 ~~shall~~ MUST be residents of the state of Colorado. THE GOVERNOR SHALL
15 STRONGLY CONSIDER APPOINTING AN ELECTRICIAN WHO WORKS
16 PRIMARILY IN THE RESIDENTIAL SECTOR TO AT LEAST ONE OF THE FOUR
17 SEATS ALLOTTED TO MASTER OR JOURNEYMAN ELECTRICIANS PURSUANT
18 TO SUBSECTION (1)(a) OR (1)(b) OF THIS SECTION. THE QUALIFICATIONS OF
19 THE MEMBERS ARE AS FOLLOWS:

20 **SECTION 5.** In Colorado Revised Statutes, 12-23-106, **amend**
21 (1)(b) as follows:

22 **12-23-106. License requirements - rules.** (1) **Master**
23 **electrician.** (b) Each applicant for a license as a master electrician ~~shall~~
24 MUST file an application on forms prepared and furnished by the board,
25 together with the application fee provided in section 12-23-112 (1). The
26 board shall notify each applicant that the evidence submitted with the
27 application is sufficient to qualify the applicant ~~to take the written~~

1 ~~examination~~ FOR LICENSURE or that the evidence is insufficient and the
2 application is rejected. ~~In the event that~~ IF the application is rejected, the
3 board shall set forth the reasons for the rejection in the notice to the
4 applicant.

5 **SECTION 6.** In Colorado Revised Statutes, 12-23-110.5, **amend**
6 (1), (2), and (3)(b) as follows:

7 **12-23-110.5. Apprentices - supervision - registration -**
8 **discipline.** (1) Any person may work as an apprentice but shall not do
9 any electrical wiring for the installation of electrical apparatus or
10 equipment for light, heat, or power except under the DIRECT supervision
11 of a licensed electrician. ~~The degree of supervision required shall be no~~
12 ~~more than one~~ A licensed electrician ~~to~~ SHALL NOT DIRECTLY supervise
13 ~~no~~ more than three apprentices at ~~the~~ A job site.

14 (2) ~~Any~~ AN electrical contractor, journeyman electrician, master
15 electrician, or residential wireman who is the employer or DIRECT
16 supervisor of any electrical apprentice working at the trade ~~shall be~~ IS
17 responsible for the work performed by ~~such~~ THE apprentice. The board
18 may take disciplinary action against ~~any such~~ THE contractor, ~~or any such~~
19 electrician, or residential wireman under ~~the provisions of~~ section
20 12-23-118 for any improper work performed by an electrical apprentice
21 working at the trade ~~during the time of his employment~~ while EMPLOYED
22 BY AND under the DIRECT supervision of ~~such~~ THAT person. The
23 registration of ~~such~~ THE apprentice may also be subject to disciplinary
24 action under ~~the provisions of~~ section 12-23-118.

25 (3) (b) ~~Such~~ AN apprentice ~~shall~~ MUST be under the DIRECT
26 supervision of ~~either a licensed electrician or a residential wireman~~ as set
27 forth in subsection (1) of this section.

1 **SECTION 7.** In Colorado Revised Statutes, 12-23-111, **amend**
2 (3), (4), (17)(a) introductory portion, (17)(a)(II), and (20); **repeal** (14);
3 and **add** (25) as follows:

4 **12-23-111. Exemptions.** (3) (a) Nothing in this ~~article shall be~~
5 ~~construed to require any~~ ARTICLE 23 REQUIRES A regular employee of ~~any~~
6 A firm or corporation to hold a license before doing any electrical work
7 on the property of ~~such~~ THE firm or corporation, whether or not ~~such~~ THE
8 property is owned, leased, or rented if:

9 (I) The firm or corporation employing ~~any~~ THE employee
10 performing ~~such~~ THE work has ~~all such~~ THE electrical work installed in
11 conformity with the minimum standards as set forth in this ~~article and all~~
12 ~~such~~ ARTICLE 23;

13 (II) THE work is subject to inspection by the board or its
14 inspectors by request in writing in accordance with ~~subsection (14) of this~~
15 ~~section~~ SECTION 12-23-116; and if

16 (III) The property of ~~any such~~ THE firm or corporation is not
17 generally open to the public.

18 (b) ~~No~~ NEITHER A license for ~~such~~ THE firm or corporation, nor
19 AN inspection by the board or its inspectors, nor the payment of any fees
20 thereon shall be required, with the exception of inspection by the board
21 or its inspectors when performed by written request. Nothing contained
22 in this ~~article shall be construed to require any~~ ARTICLE 23 REQUIRES A
23 license, ~~any~~ AN inspection by the board or its inspectors, or the payment
24 of any fees for any electrical work performed for THE maintenance OR
25 repair ~~or alteration~~ of existing facilities ~~which shall be~~ THAT ARE exempt
26 as provided in this section.

27 (4) If the property of any person, firm, or corporation is: Rental

1 property or is developed for sale, lease, or rental; ~~or is occupied or is to~~
2 be occupied by tenants for lodging, either transient or permanent; or is
3 generally open to the public, ~~then such~~ THE property of any such person,
4 ~~firm, or corporation shall be~~ IS subject to all the provisions of this article
5 ARTICLE 23 pertaining to inspection and licensing; except for THAT the
6 maintenance OR repair ~~or alteration~~ of existing facilities ~~which shall be~~
7 ~~exempt as provided in this section~~ PROPERTY SPECIFIED IN THIS
8 SUBSECTION (4) IS NOT SUBJECT TO THIS ARTICLE 23.

9 (14) ~~Nothing in this article shall be construed to exempt any~~
10 ~~electrical work from inspection under the provisions of this article except~~
11 ~~that which is specifically exempted in this article, and nothing in this~~
12 ~~article shall be construed to exempt any electrical work from inspection~~
13 ~~by the board or its inspectors upon order of the board or from any~~
14 ~~required corrections connected therewith. However, no fees or charges~~
15 ~~may be charged for any such inspection except as set forth in this article,~~
16 ~~unless request for inspection has been made to the board or its inspectors~~
17 ~~in writing, in which case, unless otherwise covered in this article, the~~
18 ~~actual expenses of the board and its inspectors of the inspection involved~~
19 ~~shall be charged by and be paid to the board. The board is directed to~~
20 ~~make available and mail minimum standards pertaining to specific~~
21 ~~electrical installations on request and to charge a fee for the same, such~~
22 ~~fee not to exceed the actual cost involved, and in no case more than one~~
23 ~~dollar. Requests for copies of the national electrical code shall be filled~~
24 ~~when available, costs thereof not to exceed the actual cost to the board.~~

25 (17) (a) The permit and inspection provisions of this article shall
26 ARTICLE 23 DO not apply to:

27 (II) Load control devices for electrical hot water heaters that are

1 owned, leased, or otherwise under the control of, and are operated by, an
2 electric utility, and are on the load side of the single-family residential
3 meter, if ~~such~~ THE equipment was installed by a registered electrical
4 contractor. The contractor will notify appropriate local authorities that the
5 work has been completed in order that an inspection may be made at the
6 expense of the utility company. ~~The applicable permit fee imposed by the~~
7 ~~local authorities shall not exceed ten dollars.~~

8 (20) (a) EXCEPT TO THE EXTENT THAT A COMMUNICATION
9 SYSTEM'S CABLES AND SYSTEMS UTILIZED FOR CONVEYING POWER ARE
10 ~~HARD-WIRED INTO A BUILDING'S ELECTRICAL SYSTEM BUT SUBJECT TO~~
11 ~~SUBSECTION (25)(a) OF THIS SECTION,~~ nothing in this ~~article~~ ARTICLE 23
12 shall be construed to cover the installation, maintenance, repair, or
13 alteration of communications systems, including:

14 (I) Telephone and telegraph systems not exempted as utilities in
15 subsection (1) of this section;

16 (II) Radio and television receiving and transmitting equipment
17 and stations; and

18 (III) Antenna systems other than community antenna television
19 systems beyond the terminals of the controllers.

20 (b) ~~Furthermore,~~ The contractors performing any installation,
21 maintenance, repair, or alteration under ~~this~~ THE exemption ~~or~~ SPECIFIED
22 IN THIS SUBSECTION (20) AND their employees ~~shall~~ ARE not ~~be~~ covered
23 by the licensing requirements of this ~~article~~ ARTICLE 23.

24 (25) NOTHING IN THIS ARTICLE 23 APPLIES TO:

25 (a) (I) THE INSTALLATION, MAINTENANCE, REPAIR, OR ALTERATION
26 OF CLASS 2 AND CLASS 3 REMOTE-CONTROL, SIGNALING, AND
27 POWER-LIMITED CIRCUITS, AS DEFINED BY THE NATIONAL ELECTRICAL

1 CODE; OR

2 (II) CONTRACTORS OR THEIR EMPLOYEES PERFORMING ANY
3 INSTALLATION, MAINTENANCE, REPAIR, OR ALTERATION OF THE CIRCUITS
4 SPECIFIED IN SUBSECTION (25)(a)(I) OF THIS SECTION; OR

5 (b) THE INSTALLATION, MAINTENANCE, REPAIR, OR ALTERATION
6 OF TRAFFIC SIGNALS OR REQUIRES LICENSURE FOR THAT WORK.

7 **SECTION 8. In Colorado Revised Statutes, 12-23-116, amend**
8 **(10) as follows:**

9 **12-23-116. Inspection - application - standard - rules.**

10 **(10) (a) An inspector performing an inspection for the state, an**
11 **incorporated town or city, a county, a city and county, or a qualified state**
12 **institution of higher education may verify compliance with this article**
13 **ARTICLE 23; however, for each project, inspections performed by the**
14 **state, an incorporated town or city, a county, a city and county, or a**
15 **qualified state institution of higher education must include a**
16 **contemporaneous review to ensure that the specific requirements of**
17 **sections 12-23-105 and 12-23-110.5 have been met. A contemporaneous**
18 **review may include a full or partial review of the electricians and**
19 **apprentices working on a job site being inspected.**

20 **(b) To ensure that enforcement is consistent, timely, and efficient,**
21 **each entity, including the state, as described in this subsection (10), shall**
22 **develop standard procedures to advise its inspectors how to conduct a**
23 **contemporaneous review. Each entity's standard procedures need not**
24 **require a contemporaneous review for each and every inspection of a**
25 **project, but the procedures must preserve an inspector's ability to verify**
26 **compliance with sections 12-23-105 and 12-23-110.5 at any time. EACH**
27 **ENTITY'S PROCEDURES MUST ALSO INCLUDE PROVISIONS THAT ALLOW FOR**

1 INSPECTORS TO CONDUCT OCCASIONAL, RANDOM, ON-SITE INSPECTIONS
2 WHILE ACTUAL ELECTRICAL WORK IS BEING CONDUCTED, WITH A FOCUS ON
3 LARGE COMMERCIAL AND MULTI-FAMILY RESIDENTIAL PROJECTS
4 PERMITTED BY THE ENTITY. Each entity, including the state, shall post its
5 current procedures regarding contemporaneous reviews in a prominent
6 location on its public website. EACH ENTITY SHALL PROVIDE A WEBSITE
7 LINK TO OR AN ELECTRONIC COPY OF ITS PROCEDURES TO THE BOARD, AND
8 THE BOARD SHALL POST ALL OF THE PROCEDURES ON A SINGLE LOCATION
9 ON THE DEPARTMENT OF REGULATORY AGENCIES' WEBSITE.

10 (c) An inspector may file a complaint with the board for any
11 violation of this article ARTICLE 23.

12 (d) THE BOARD SHALL ENSURE COMPLIANCE WITH THIS SECTION.
13 IF THE BOARD DETERMINES, AS A RESULT OF A COMPLAINT, THAT AN
14 ENTITY OTHER THAN THE STATE IS CONDUCTING ELECTRICAL INSPECTIONS
15 THAT DO NOT COMPLY WITH THIS SECTION, THE BOARD MAY ISSUE TO THAT
16 ENTITY AN ORDER TO SHOW CAUSE, IN ACCORDANCE SECTION 12-23-118
17 (9), AS TO WHY THE BOARD SHOULD NOT ISSUE A FINAL ORDER DIRECTING
18 THAT ENTITY TO CEASE AND DESIST CONDUCTING ELECTRICAL
19 INSPECTIONS UNTIL THAT ENTITY COMES INTO COMPLIANCE TO THE
20 SATISFACTION OF THE BOARD. IF THE USE OF STATE ELECTRICAL
21 INSPECTORS IS REQUIRED AFTER THE ISSUANCE OF A FINAL CEASE AND
22 DESIST ORDER PURSUANT TO THIS SUBSECTION (10)(d), THAT ENTITY
23 SHALL REIMBURSE THE BOARD FOR ANY EXPENSES INCURRED IN
24 PERFORMING THAT ENTITY'S INSPECTIONS, IN ADDITION TO TRANSMITTING
25 THE REQUIRED PERMIT FEES. _____

26 **SECTION 9.** In Colorado Revised Statutes, 12-23-118, **amend**
27 (1) introductory portion and (1)(j) as follows:

1 **12-23-118. Violations - citations - settlement agreements -**
2 **hearings - fines.** (1) The board may deny, suspend, revoke, refuse to
3 renew, or issue a letter of admonition in regard to any license or
4 registration issued or applied for under the provisions of this ~~article~~
5 ARTICLE 23, may place a licensee or registrant on probation, or may issue
6 a citation to a licensee, registrant, or applicant for licensure for any of the
7 following reasons:

8 (j) Failure of a master electrician who is charged with supervising
9 all electrical work performed by a contractor pursuant to section
10 12-23-106 (5)(c) to adequately supervise ~~such~~ THE work or failure of any
11 licensee to adequately DIRECTLY supervise an apprentice who is working
12 at the trade pursuant to section 12-23-110.5;

13 **SECTION 10.** In Colorado Revised Statutes, 12-115-103, **amend**
14 **as relocated by House Bill 19-1172 (3); and add as relocated by House**
15 **Bill 19-1172 (2.5) and (12) as follows:**

16 **12-115-103. Definitions.** As used in this article 115, unless the
17 context otherwise requires:

18 (2.5) "DIRECT SUPERVISION" MEANS THAT THE SUPERVISING
19 LICENSED MASTER ELECTRICIAN, JOURNEYMAN ELECTRICIAN, OR
20 RESIDENTIAL WIREMAN IS PHYSICALLY PRESENT AT THE SAME PHYSICAL
21 ADDRESS WHERE THE APPRENTICE IS WORKING.

22 (3) "Electric light, heat, and power" means the standard types of
23 electricity that are supplied by an electric utility, regardless of whether the
24 source is an electric utility or the inverter output circuit of a photovoltaic
25 system or a similar circuit from another type of renewable energy system
26 OR ELECTRIC VEHICLE CHARGING INFRASTRUCTURE, and used and
27 consumed in a real estate improvement or real estate fixture.

1 (12) "SUPERVISION" MEANS THE MANAGEMENT OF A PROJECT TO
2 ENSURE THAT WORK ON THE PROJECT IS DONE CORRECTLY AND
3 ACCORDING TO THE LAW.

4 **SECTION 11.** In Colorado Revised Statutes, 12-115-104, **amend**
5 **as relocated by House Bill 19-1172** (1) introductory portion as follows:

6 **12-115-104. State electrical board.** (1) There is hereby
7 established a state electrical board, which ~~shall consist~~ CONSISTS of ~~the~~
8 ~~following~~ nine members appointed by the governor, with the consent of
9 the senate, who ~~shall~~ MUST be residents of the state of Colorado. THE
10 GOVERNOR SHALL STRONGLY CONSIDER APPOINTING AN ELECTRICIAN WHO
11 WORKS PRIMARILY IN THE RESIDENTIAL SECTOR TO AT LEAST ONE OF THE
12 FOUR SEATS ALLOTTED TO MASTER OR JOURNEYMAN ELECTRICIANS
13 PURSUANT TO SUBSECTION (1)(a) OR (1)(b) OF THIS SECTION. THE
14 QUALIFICATIONS OF THE MEMBERS ARE AS FOLLOWS:

15 **SECTION 12.** In Colorado Revised Statutes, **amend as relocated**
16 **by House Bill 19-1172** 12-115-105 as follows:

17 **12-115-105. Repeal of article.** This article 115 is repealed,
18 effective ~~July 1, 2019~~ SEPTEMBER 1, 2032. Before the repeal, the state
19 electrical board, including provisions relating to qualified state
20 institutions of higher education, is scheduled for review in accordance
21 with section 24-34-104.

22 **SECTION 13.** In Colorado Revised Statutes, 12-115-110, **amend**
23 **as relocated by House Bill 19-1172** (1)(b) as follows:

24 **12-115-110. License requirements - rules - continuing**
25 **education.** (1) **Master electrician.** (b) Each applicant for a license as
26 a master electrician ~~shall~~ MUST file an application on forms prepared and
27 furnished by the board, together with the application fee provided in

1 section 12-115-117 (1). The board shall notify each applicant that the
2 evidence submitted with the application is sufficient to qualify the
3 applicant ~~to take the written examination~~ FOR LICENSURE or that the
4 evidence is insufficient and the application is rejected. ~~In the event that~~
5 IF the application is rejected, the board shall set forth the reasons for the
6 rejection in the notice to the applicant.

7 **SECTION 14.** In Colorado Revised Statutes, 12-115-115, **amend**
8 **as relocated by House Bill 19-1172** (1), (2), and (3)(b) as follows:

9 **12-115-115. Apprentices - supervision - registration -**
10 **discipline.** (1) Any person may work as an apprentice but shall not do
11 any electrical wiring for the installation of electrical apparatus or
12 equipment for light, heat, or power except under the DIRECT supervision
13 of a licensed electrician. ~~The degree of supervision required shall be no~~
14 ~~more than one~~ A licensed electrician ~~to~~ SHALL NOT DIRECTLY supervise
15 ~~no~~ more than three apprentices at ~~the~~ A job site.

16 (2) ~~Any~~ AN electrical contractor, journeyman electrician, master
17 electrician, or residential wireman who is the employer or DIRECT
18 supervisor of any electrical apprentice working at the trade ~~shall be~~ IS
19 responsible for the work performed by the apprentice. The board may take
20 disciplinary action against the contractor, electrician, or residential
21 wireman under ~~the provisions of~~ section 12-115-122 for any improper
22 work performed by an electrical apprentice working at the trade ~~during~~
23 ~~the time of his or her employment~~ while EMPLOYED BY AND under the
24 DIRECT supervision of ~~the~~ THAT person. The registration of the apprentice
25 may also be subject to disciplinary action under ~~the provisions of~~ section
26 12-115-122.

27 (3) (b) ~~The~~ AN apprentice ~~shall~~ MUST be under the DIRECT

1 supervision of either a licensed electrician or a residential wireman as set
2 forth in subsection (1) of this section.

3 **SECTION 15.** In Colorado Revised Statutes, 12-115-116, **amend**
4 **as relocated by House Bill 19-1172** (3), (4), (14)(a) introductory portion,
5 (14)(a)(II), and (15)(c); **repeal as relocated by House Bill 19-1172** (11);
6 and **add as relocated by House Bill 19-1172** (16) as follows:

7 **12-115-116. Exemptions - definition.** (3) (a) Nothing in this
8 article 115 ~~shall be construed to require any~~ REQUIRES A regular employee
9 of ~~any~~ A firm or corporation to hold a license before doing any electrical
10 work on the property of the firm or corporation, whether or not the
11 property is owned, leased, or rented if:

12 (I) The firm or corporation employing ~~any~~ THE employee
13 performing the work has all ~~such~~ THE electrical work installed in
14 conformity with the minimum standards as set forth in this article 115;
15 ~~and all such~~

16 (II) THE work is subject to inspection by the board or its
17 inspectors by request in writing in accordance with ~~subsection (11) of this~~
18 ~~section~~ SECTION 12-115-120; and if

19 (III) The property of ~~any such~~ THE firm or corporation is not
20 generally open to the public.

21 (b) ~~No~~ NEITHER A license for the firm or corporation, nor AN
22 inspection by the board or its inspectors, nor the payment of any fees
23 thereon shall be required, with the exception of inspection by the board
24 or its inspectors when performed by written request. Nothing contained
25 in this article 115 ~~shall be construed to require any~~ REQUIRES A license,
26 ~~any~~ AN inspection by the board or its inspectors, or the payment of any
27 fees for any electrical work performed for THE maintenance OR repair ~~or~~

1 alteration of existing facilities ~~which shall be~~ THAT ARE exempt as
2 provided in this section.

3 (4) If the property of any person, firm, or corporation is: Rental
4 property or is developed for sale, lease, or rental, ~~or is occupied or is to~~
5 ~~be occupied by tenants for lodging, either transient or permanent; or is~~
6 ~~generally open to the public, then the property of any such person, firm,~~
7 ~~or corporation shall be~~ IS subject to all the provisions of this article 115
8 pertaining to inspection and licensing; ~~except for~~ THAT the maintenance
9 OR repair ~~or alteration of existing facilities, which shall be exempt as~~
10 ~~provided in this section~~ PROPERTY SPECIFIED IN THIS SUBSECTION (4) IS
11 NOT SUBJECT TO THIS ARTICLE 115.

12 (11) ~~Nothing in this article 115 shall be construed to exempt any~~
13 ~~electrical work from inspection under the provisions of this article 115~~
14 ~~except that which is specifically exempted in this article 115, and nothing~~
15 ~~in this article 115 shall be construed to exempt any electrical work from~~
16 ~~inspection by the board or its inspectors upon order of the board or from~~
17 ~~any required corrections connected therewith. However, no fees or~~
18 ~~charges may be charged for any such inspection except as set forth in this~~
19 ~~article 115, unless request for inspection has been made to the board or~~
20 ~~its inspectors in writing, in which case, unless otherwise covered in this~~
21 ~~article 115, the actual expenses of the board and its inspectors of the~~
22 ~~inspection involved shall be charged by and be paid to the board. The~~
23 ~~board is directed to make available and mail minimum standards~~
24 ~~pertaining to specific electrical installations on request and to charge a fee~~
25 ~~for the same, the fee not to exceed the actual cost involved, and in no case~~
26 ~~more than one dollar. Requests for copies of the national electrical code~~
27 ~~shall be filled when available, costs thereof not to exceed the actual cost~~

1 ~~to the board.~~

2 (14) (a) The permit and inspection provisions of this article 115
3 ~~shall~~ DO not apply to:

4 (II) Load control devices for electrical hot water heaters that are
5 owned, leased, or otherwise under the control of, and are operated by, an
6 electric utility, and are on the load side of the single-family residential
7 meter, if the equipment was installed by a registered electrical contractor.
8 The contractor will notify appropriate local authorities that the work has
9 been completed in order that an inspection may be made at the expense
10 of the utility company. ~~The applicable permit fee imposed by the local~~
11 ~~authorities shall not exceed ten dollars.~~

12 (15) Nothing in this article 115 shall be construed to:

13 (c) (I) EXCEPT TO THE EXTENT THAT A COMMUNICATION SYSTEM'S
14 CABLES AND SYSTEMS UTILIZED FOR CONVEYING POWER ARE HARD-WIRED
15 INTO A BUILDING'S ELECTRICAL SYSTEM BUT SUBJECT TO SUBSECTION
16 (16)(a) OF THIS SECTION, cover the installation, maintenance, repair, or
17 alteration of communications systems, including:

18 (A) Telephone and telegraph systems not exempted as utilities in
19 subsection (1) of this section;

20 (B) Radio and television receiving and transmitting equipment
21 and stations; and

22 (C) Antenna systems other than community antenna television
23 systems beyond the terminals of the controllers.

24 (II) ~~Furthermore,~~ The contractors performing any installation,
25 maintenance, repair, or alteration under ~~this~~ THE exemption ~~or~~ SPECIFIED
26 IN THIS SUBSECTION (15)(c) AND their employees ~~shall~~ ARE not ~~be~~ covered
27 by the licensing requirements of this article 115.

1 (16) NOTHING IN THIS ARTICLE 115 APPLIES TO:
2 (a) (I) THE INSTALLATION, MAINTENANCE, REPAIR, OR ALTERATION
3 OF CLASS 2 AND CLASS 3 REMOTE-CONTROL, SIGNALING, AND
4 POWER-LIMITED CIRCUITS, AS DEFINED BY THE NATIONAL ELECTRICAL
5 CODE; OR
6 (II) CONTRACTORS OR THEIR EMPLOYEES PERFORMING ANY
7 INSTALLATION, MAINTENANCE, REPAIR, OR ALTERATION OF THE CIRCUITS
8 SPECIFIED IN SUBSECTION (16)(a)(I) OF THIS SECTION; OR
9 (b) THE INSTALLATION, MAINTENANCE, REPAIR, OR ALTERATION
10 OF TRAFFIC SIGNALS OR REQUIRES LICENSURE FOR THAT WORK.

11 **SECTION 16. In Colorado Revised Statutes, 12-115-120, amend**
12 **as relocated by House Bill 19-1172 (10) as follows:**

13 **12-115-120. Inspection - application - standard - rules.**

14 (10) (a) An inspector performing an inspection for the state, an
15 incorporated town or city, a county, a city and county, or a qualified state
16 institution of higher education may verify compliance with this article
17 115; however, for each project, inspections performed by the state, an
18 incorporated town or city, a county, a city and county, or a qualified state
19 institution of higher education must include a contemporaneous review
20 to ensure that the specific requirements of sections 12-115-109 and
21 12-115-115 have been met. A contemporaneous review may include a full
22 or partial review of the electricians and apprentices working on a job site
23 being inspected.

24 (b) To ensure that enforcement is consistent, timely, and efficient,
25 each entity, including the state, as described in this subsection (10), shall
26 develop standard procedures to advise its inspectors how to conduct a
27 contemporaneous review. Each entity's standard procedures need not

1 require a contemporaneous review for each and every inspection of a
2 project, but the procedures must preserve an inspector's ability to verify
3 compliance with sections 12-115-109 and 12-115-115 at any time. EACH
4 ENTITY'S PROCEDURES MUST ALSO INCLUDE PROVISIONS THAT ALLOW FOR
5 INSPECTORS TO CONDUCT OCCASIONAL, RANDOM, ON-SITE INSPECTIONS
6 WHILE ACTUAL ELECTRICAL WORK IS BEING CONDUCTED, WITH A FOCUS ON
7 LARGE COMMERCIAL AND MULTI-FAMILY RESIDENTIAL PROJECTS
8 PERMITTED BY THE ENTITY. Each entity, including the state, shall post its
9 current procedures regarding contemporaneous reviews in a prominent
10 location on its public website. EACH ENTITY SHALL PROVIDE A WEBSITE
11 LINK TO OR AN ELECTRONIC COPY OF ITS PROCEDURES TO THE BOARD, AND
12 THE BOARD SHALL POST ALL OF THE PROCEDURES ON A SINGLE LOCATION
13 ON THE DEPARTMENT'S WEBSITE.

14 (c) An inspector may file a complaint with the board for any
15 violation of this article 115.

16 (d) THE BOARD SHALL ENSURE COMPLIANCE WITH THIS SECTION.
17 IF THE BOARD DETERMINES, AS A RESULT OF A COMPLAINT, THAT AN
18 ENTITY OTHER THAN THE STATE IS CONDUCTING ELECTRICAL INSPECTIONS
19 THAT DO NOT COMPLY WITH THIS SECTION, THE BOARD MAY ISSUE TO THAT
20 ENTITY AN ORDER TO SHOW CAUSE, IN ACCORDANCE SECTIONS 12-20-405
21 AND 12-115-122 (6), AS TO WHY THE BOARD SHOULD NOT ISSUE A FINAL
22 ORDER DIRECTING THAT ENTITY TO CEASE AND DESIST CONDUCTING
23 ELECTRICAL INSPECTIONS UNTIL THAT ENTITY COMES INTO COMPLIANCE
24 TO THE SATISFACTION OF THE BOARD. IF THE USE OF STATE ELECTRICAL
25 INSPECTORS IS REQUIRED AFTER THE ISSUANCE OF A FINAL CEASE AND
26 DESIST ORDER PURSUANT TO THIS SUBSECTION (10)(d), THAT ENTITY
27 SHALL REIMBURSE THE BOARD FOR ANY EXPENSES INCURRED IN

1 PERFORMING THAT ENTITY'S INSPECTIONS, IN ADDITION TO TRANSMITTING
2 THE REQUIRED PERMIT FEES. == ==

3 **SECTION 17.** In Colorado Revised Statutes, 12-115-122, **amend**
4 **as relocated by House Bill 19-1172 (1)(j)** as follows:

5 **12-115-122. Violations - citations - settlement agreements -**
6 **hearings - fines - rules.** (1) The board may take disciplinary or other
7 action as authorized by section 12-20-404 in regard to any license or
8 registration issued or applied for under the provisions of this article 115
9 or may issue a citation to a licensee, registrant, or applicant for licensure
10 for any of the following reasons:

11 (j) Failure of a master electrician who is charged with supervising
12 all electrical work performed by a contractor pursuant to section
13 12-115-110 (5)(c) to adequately supervise the work or failure of any
14 licensee to adequately DIRECTLY supervise an apprentice who is working
15 at the trade pursuant to section 12-115-115;

16 **SECTION 18. Effective date - applicability.** (1) This act:

17 (a) Takes effect July 1, 2019; except that sections 10 through 17
18 of this act take effect only if House Bill 19-1172 becomes law, in which
19 case sections 10 through 17 take effect October 1, 2019; and

20 (b) Applies to conduct occurring on or after the applicable
21 effective date of this act.

22 **SECTION 19. Safety clause.** The general assembly hereby finds,
23 determines, and declares that this act is necessary for the immediate
24 preservation of the public peace, health, and safety.