

HB1086\_L.005

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Business Affairs & Labor.

HB19-1086 be amended as follows:

1 Amend printed bill, page 2, strike lines 2 through 19.

2 Page 3, strike lines 1 through 8 and substitute:

3 "SECTION 1. In Colorado Revised Statutes, 12-58-108, amend  
4 (2); and add (3) as follows:

5 **12-58-108. Renewal - reinstatement - rules.** (2) (a) Any license  
6 or registration that has lapsed is ~~deemed to have~~ expired.

7 (b) (I) Prior to reinstatement OF AN EXPIRED LICENSE OR  
8 REGISTRATION, the board is ~~authorized to~~ MAY require the licensee OR  
9 REGISTRANT to demonstrate competency.

10 (II) TO REINSTATE A LICENSE OR REGISTRATION THAT HAS BEEN  
11 EXPIRED FOR TWO OR MORE YEARS, A PERSON MUST SATISFACTORILY PASS  
12 THE STATE PLUMBING EXAMINATION IN ACCORDANCE WITH SECTION  
13 12-58-107; EXCEPT THAT THIS SUBSECTION (2)(b)(II) DOES NOT APPLY TO  
14 WATER CONDITIONING INSTALLERS AND WATER CONDITIONING  
15 PRINCIPALS.

16 (III) TO REINSTATE A LICENSE OR REGISTRATION THAT HAS BEEN  
17 EXPIRED FOR LESS THAN TWO YEARS, A PERSON MUST COMPLY WITH  
18 SUBSECTION (3)(a) OF THIS SECTION; EXCEPT THAT THIS SUBSECTION  
19 (2)(b)(III) DOES NOT APPLY TO WATER CONDITIONING INSTALLERS AND  
20 WATER CONDITIONING PRINCIPALS.

21 (c) Licenses and registrations ~~shall be renewed or reinstated~~  
22 ~~pursuant to~~ ARE SUBJECT TO RENEWAL OR REINSTATEMENT IN  
23 ACCORDANCE WITH a schedule established by the director of the division  
24 of professions and occupations within the department of regulatory  
25 agencies and pursuant to section 24-34-102 (8). ~~C.R.S.~~ The director of the  
26 ~~division of professions and occupations within the department of~~  
27 ~~regulatory agencies~~ may establish renewal fees and delinquency fees for  
28 reinstatement pursuant to section 24-34-105. ~~C.R.S.~~

29 (d) If a person fails to renew his or her license or registration  
30 pursuant to the schedule established by the director, ~~of the division of~~  
31 ~~professions and occupations~~, the license or registration ~~shall expire~~  
32 EXPIRES. Any person whose license or registration has expired is subject  
33 to the penalties provided in this ~~article~~ ARTICLE 58 or section 24-34-102  
34 (8). ~~C.R.S.~~

35 (3) (a) ON OR AFTER MAY 1, 2021, THE BOARD SHALL NOT RENEW  
36 OR REINSTATE A LICENSE UNLESS THE APPLICANT HAS COMPLETED EIGHT  
37 HOURS OF CONTINUING EDUCATION FOR EVERY TWELVE MONTHS THAT  
38 HAVE PASSED AFTER THE LATER OF THE LAST DATE OF RENEWAL OR

1 REINSTATEMENT. THIS SUBSECTION (3)(a) DOES NOT APPLY TO THE FIRST  
2 RENEWAL OR REINSTATEMENT OF A LICENSE FOR WHICH, AS A CONDITION  
3 OF ISSUANCE, THE APPLICANT SUCCESSFULLY COMPLETED A LICENSING  
4 EXAMINATION PURSUANT TO SECTION 12-58-107.

5 (b) ON OR BEFORE JULY 1, 2020, THE BOARD, IN COLLABORATION  
6 WITH ESTABLISHED INDUSTRY TRAINING PROGRAMS AND INDUSTRY  
7 REPRESENTATIVES, SHALL ADOPT RULES ESTABLISHING CONTINUING  
8 EDUCATION REQUIREMENTS AND STANDARDS. THE REQUIREMENTS AND  
9 STANDARDS MUST INCLUDE COURSE WORK RELATED TO THE CODE,  
10 INCLUDING CORE COMPETENCIES, AS DETERMINED BY THE BOARD. THE  
11 BOARD MAY COUNT A LICENSED PLUMBER'S ENROLLMENT IN A COURSE  
12 DESIGNED TO HELP THE PLUMBER ATTAIN NATIONALLY RECOGNIZED  
13 PLUMBING AND BUILDING INSPECTION CERTIFICATIONS TOWARDS THE  
14 PLUMBER'S CONTINUING EDUCATION REQUIREMENTS. A RENEWAL OR  
15 REINSTATEMENT LICENSE APPLICANT MUST FURNISH, OR CAUSE TO BE  
16 FURNISHED, TO THE BOARD, IN A FORM AND MANNER DETERMINED BY THE  
17 BOARD, DOCUMENTATION DEMONSTRATING COMPLIANCE WITH THIS  
18 SUBSECTION (3) AND RULES PROMULGATED TO IMPLEMENT THIS  
19 SUBSECTION (3).

20 (c) TO ENSURE CONSUMER PROTECTION, THE BOARD'S RULES MAY  
21 INCLUDE AUDIT STANDARDS FOR LICENSEE COMPLIANCE WITH CONTINUING  
22 EDUCATION REQUIREMENTS AND REQUIREMENTS PERTAINING TO THE  
23 TESTING OF LICENSEES BY THE CONTINUING EDUCATION VENDOR."

24 Page 4, line 7, after "DIRECTOR" insert "OF THE DIVISION OF PROFESSIONS  
25 AND OCCUPATIONS".

26 Page 4, line 8, strike "POSTED." and substitute "POSTED OR, IF AN  
27 INSPECTING ENTITY DOES NOT HAVE A WEBSITE, PROVIDE ITS CURRENT  
28 PROCEDURES TO THE DIRECTOR FOR POSTING ON THE BOARD'S WEBSITE."

29 Page 4, strike lines 11 through 22 and substitute:

30 "SECTION 3. In Colorado Revised Statutes, 12-155-112, amend  
31 as relocated by House Bill 19-1172 (2); and add (3) as follows:

32 **12-155-112. License renewal - fees - reinstatement - rules.**

33 (2) (a) Licenses and registrations issued pursuant to this article 155 are  
34 subject to the renewal, expiration, reinstatement, and delinquency fee  
35 provisions specified in section 12-20-202 (1) and (2). Any person whose  
36 license or registration has expired is subject to the penalties provided in  
37 this article 155 or section 12-20-202 (1).

38 (b) TO REINSTATE A LICENSE OR REGISTRATION THAT HAS BEEN  
39 EXPIRED FOR TWO OR MORE YEARS, A PERSON MUST SATISFACTORILY PASS

1 THE STATE PLUMBING EXAMINATION IN ACCORDANCE WITH SECTION  
2 12-155-110; EXCEPT THAT THIS SUBSECTION (2)(b) DOES NOT APPLY TO  
3 WATER CONDITIONING INSTALLERS AND WATER CONDITIONING  
4 PRINCIPALS.

5 (c) TO REINSTATE A LICENSE OR REGISTRATION THAT HAS BEEN  
6 EXPIRED FOR LESS THAN TWO YEARS, A PERSON MUST COMPLY WITH  
7 SUBSECTION (3)(a) OF THIS SECTION; EXCEPT THAT THIS SUBSECTION (2)(c)  
8 DOES NOT APPLY TO WATER CONDITIONING INSTALLERS AND WATER  
9 CONDITIONING PRINCIPALS.

10 (3) (a) ON OR AFTER MAY 1, 2021, THE BOARD SHALL NOT RENEW  
11 OR REINSTATE A LICENSE UNLESS THE APPLICANT HAS COMPLETED EIGHT  
12 HOURS OF CONTINUING EDUCATION FOR EVERY TWELVE MONTHS THAT  
13 HAVE PASSED AFTER THE LATER OF THE LAST DATE OF RENEWAL OR  
14 REINSTATEMENT. THIS SUBSECTION (3)(a) DOES NOT APPLY TO THE FIRST  
15 RENEWAL OR REINSTATEMENT OF A LICENSE FOR WHICH, AS A CONDITION  
16 OF ISSUANCE, THE APPLICANT SUCCESSFULLY COMPLETED A LICENSING  
17 EXAMINATION PURSUANT TO SECTION 12-155-110.

18 (b) ON OR BEFORE JULY 1, 2020, THE BOARD, IN COLLABORATION  
19 WITH ESTABLISHED INDUSTRY TRAINING PROGRAMS AND INDUSTRY  
20 REPRESENTATIVES, SHALL ADOPT RULES ESTABLISHING CONTINUING  
21 EDUCATION REQUIREMENTS AND STANDARDS. THE REQUIREMENTS AND  
22 STANDARDS MUST INCLUDE COURSE WORK RELATED TO THE CODE,  
23 INCLUDING CORE COMPETENCIES, AS DETERMINED BY THE BOARD. THE  
24 BOARD MAY COUNT A LICENSED PLUMBER'S ENROLLMENT IN A COURSE  
25 DESIGNED TO HELP THE PLUMBER ATTAIN NATIONALLY RECOGNIZED  
26 PLUMBING AND BUILDING INSPECTION CERTIFICATIONS TOWARDS THE  
27 PLUMBER'S CONTINUING EDUCATION REQUIREMENTS. A RENEWAL OR  
28 REINSTATEMENT LICENSE APPLICANT MUST FURNISH, OR CAUSE TO BE  
29 FURNISHED, TO THE BOARD, IN A FORM AND MANNER DETERMINED BY THE  
30 BOARD, DOCUMENTATION DEMONSTRATING COMPLIANCE WITH THIS  
31 SUBSECTION (3) AND RULES PROMULGATED TO IMPLEMENT THIS  
32 SUBSECTION (3).

33 (c) TO ENSURE CONSUMER PROTECTION, THE BOARD'S RULES MAY  
34 INCLUDE AUDIT STANDARDS FOR LICENSEE COMPLIANCE WITH CONTINUING  
35 EDUCATION REQUIREMENTS AND REQUIREMENTS PERTAINING TO THE  
36 TESTING OF LICENSEES BY THE CONTINUING EDUCATION VENDOR.

37 **SECTION 4.** In Colorado Revised Statutes, 12-155-120, **add as**  
38 **relocated by House Bill 19-1172** (10) as follows:

39 **12-155-120. Inspection - application - standards.** (10) (a) AN  
40 INSPECTOR PERFORMING AN INSPECTION FOR THE STATE, AN  
41 INCORPORATED TOWN OR CITY, COUNTY, CITY AND COUNTY, OR QUALIFIED  
42 STATE INSTITUTION OF HIGHER EDUCATION, REFERRED TO IN THIS  
43 SUBSECTION (10) AS AN "INSPECTING ENTITY", SHALL VERIFY COMPLIANCE

1 WITH THIS ARTICLE 155.

2 (b) (I) INSPECTIONS PERFORMED BY AN INSPECTING ENTITY MUST  
3 INCLUDE, FOR EACH PROJECT, A CONTEMPORANEOUS REVIEW TO ENSURE  
4 COMPLIANCE WITH SECTIONS 12-155-108 AND 12-155-124. A  
5 CONTEMPORANEOUS REVIEW MAY INCLUDE A FULL OR PARTIAL REVIEW OF  
6 THE PLUMBERS AND APPRENTICES WORKING AT A JOB SITE BEING  
7 INSPECTED.

8 (II) TO ENSURE THAT ENFORCEMENT IS CONSISTENT, TIMELY, AND  
9 EFFICIENT, EACH INSPECTING ENTITY EMPLOYING INSPECTORS SHALL  
10 DEVELOP STANDARD PROCEDURES TO ADVISE ITS INSPECTORS ON HOW TO  
11 CONDUCT A CONTEMPORANEOUS REVIEW. AN INSPECTING ENTITY'S  
12 STANDARD PROCEDURES NEED NOT REQUIRE A CONTEMPORANEOUS  
13 REVIEW FOR EACH INSPECTION OF A PROJECT, BUT THE PROCEDURES MUST  
14 PRESERVE AN INSPECTOR'S ABILITY TO VERIFY COMPLIANCE WITH  
15 SECTIONS 12-155-108 AND 12-155-124 AT ANY TIME. EACH INSPECTING  
16 ENTITY SUBJECT TO THIS SUBSECTION (10)(b)(II), INCLUDING THE STATE,  
17 SHALL POST ITS CURRENT PROCEDURES REGARDING CONTEMPORANEOUS  
18 REVIEWS IN A PROMINENT LOCATION ON ITS PUBLIC WEBSITE AND PROVIDE  
19 THE DIRECTOR WITH A LINK TO THE WEB PAGE ON WHICH THE PROCEDURES  
20 HAVE BEEN POSTED OR, IF AN INSPECTING ENTITY DOES NOT HAVE A  
21 WEBSITE, PROVIDE ITS CURRENT PROCEDURES TO THE DIRECTOR FOR  
22 POSTING ON THE BOARD'S WEBSITE.

23 (III) AN INSPECTOR MAY FILE A COMPLAINT WITH THE BOARD FOR  
24 ANY VIOLATION OF THIS ARTICLE 155.

25 **SECTION 5. Act subject to petition - effective date.** (1) Except  
26 as otherwise provided in subsection (2) of this section, this act takes  
27 effect January 1, 2020; except that, if a referendum petition is filed  
28 pursuant to section 1 (3) of article V of the state constitution against this  
29 act or an item, section, or part of this act within the ninety-day period  
30 after final adjournment of the general assembly, then the act, item,  
31 section, or part will not take effect unless approved by the people at the  
32 general election to be held in November 2020 and, in such case, will take  
33 effect on the date of the official declaration of the vote thereon by the  
34 governor.

35 (2) (a) Sections 1 and 2 of this act take effect only if House Bill  
36 19-1172 does not become law.

37 (b) Sections 3 and 4 of this act take effect only if House Bill  
38 19-1172 becomes law."

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