After consideration on the merits, the Committee recommends the following:

HB19-1086 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

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

Page 3, strike lines 1 through 8 and substitute:

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

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

(b) (I) Prior to reinstatement of an expired license or registration, the board is authorized to require the licensee or registrant to demonstrate competency.

(II) This subsection (2)(b)(II) does not apply to water conditioning installers and water conditioning principals. To reinstate a license or registration that has been expired for two or more years, a person must demonstrate competency by:

(A) Providing verification of a license in good standing from another state and proof of active practice in that state for the year previous to the date of receipt of the reinstatement application;

(B) Satisfactorily passing the state plumbing examination in accordance with section 12-58-107; or

(C) Any other means approved by the board.

(III) To reinstate a license or registration that has been expired for less than two years, a person must comply with
SUBSECTION (3)(a) OF THIS SECTION; EXCEPT THAT THIS SUBSECTION (2)(b)(III) DOES NOT APPLY TO WATER CONDITIONING INSTALLERS AND WATER CONDITIONING PRINCIPALS.

(c) Licenses and registrations shall be renewed or reinstated pursuant to are subject to renewal or reinstatement in accordance with a schedule established by the director of the division of professions and occupations within the department of regulatory agencies and pursuant to section 24-34-102 (8). C.R.S. The director of the division of professions and occupations within the department of regulatory agencies may establish renewal fees and delinquency fees for reinstatement pursuant to section 24-34-105. C.R.S.

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

(3)(a) On or after May 1, 2021, the board shall not renew or reinstate a license unless the applicant has completed eight hours of continuing education for every twelve months that have passed after the later of the last date of renewal or reinstatement. This subsection (3)(a) does not apply to the first renewal or reinstatement of a license for which, as a condition of issuance, the applicant successfully completed a licensing examination pursuant to section 12-58-107.

(b) On or before July 1, 2020, the board, in collaboration with established industry training programs and industry representatives, shall adopt rules establishing continuing education requirements and standards. The requirements and standards must include course work related to the code, including core competencies, as determined by the board. The board may count a licensed plumber's enrollment in a course designed to help the plumber attain nationally recognized plumbing and building inspection certifications towards the plumber's continuing education requirements. A renewal or reinstatement license applicant must furnish, or cause to be furnished, to the board, in a form and manner determined by the board, documentation demonstrating compliance with this subsection (3) and rules promulgated to implement this subsection (3).

(c) To ensure consumer protection, the board's rules may
include audit standards for licensee compliance with continuing education requirements and requirements pertaining to the testing of licensees by the continuing education vendor.

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

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

Page 4, strike lines 11 through 22 and substitute:

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


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

(b) This subsection (2)(b) does not apply to water conditioning installers and water conditioning principals. To reinstate a license or registration that has been expired for two or more years, a person must demonstrate competency by:

(I) Providing verification of a license in good standing from another state and proof of active practice in that state for the year previous to the date of receipt of the reinstatement application;

(II) Satisfactorily passing the state plumbing examination in accordance with section 12-58-107; or

(III) Any other means approved by the board.

(c) To reinstate a license or registration that has been expired for less than two years, a person must comply with subsection (3)(a) of this section; except that this subsection (2)(c) does not apply to water conditioning installers and water conditioning principals.

(3) (a) On or after May 1, 2021, the board shall not renew or reinstate a license unless the applicant has completed eight hours of continuing education for every twelve months that have passed after the later of the last date of renewal or
REINSTATEMENT. THIS SUBSECTION (3)(a) DOES NOT APPLY TO THE FIRST
RENEWAL OR REINSTATEMENT OF A LICENSE FOR WHICH, AS A CONDITION
OF ISSUANCE, THE APPLICANT SUCCESSFULLY COMPLETED A LICENSING
EXAMINATION PURSUANT TO SECTION 12-155-110.

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

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

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

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

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

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

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

SECTION 5. ACT SUBJECT TO PETITION - EFFECTIVE DATE. (1) Except
as otherwise provided in subsection (2) of this section, this act takes
effect January 1, 2020; except that, if a referendum petition is filed
pursuant to section 1 (3) of article V of the state constitution against this
act or an item, section, or part of this act within the ninety-day period
after final adjournment of the general assembly, then the act, item,
section, or part will not take effect unless approved by the people at the
general election to be held in November 2020 and, in such case, will take
effect on the date of the official declaration of the vote thereon by the
governor.

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

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

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