A BILL FOR AN ACT

CONCERNING THE CONDUCT OF PLUMBING INSPECTIONS TO ENSURE COMPLIANCE WITH THE PLUMBING LAW.

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 requires plumbing inspectors employed by qualified state institutions of higher education to possess the same qualifications required of state plumbing inspectors. Section 1 of the bill requires the same of inspectors employed by an incorporated town or city, county, or city and county.

Section 2 requires state plumbing inspectors or plumbing
inspectors employed by the state, an incorporated town or city, county, city and county, or qualified state institution of higher education (entity) to conduct a contemporaneous review of each plumbing project inspected to ensure compliance with the plumbing law, including specifically licensure and apprentice requirements. However, each entity need not perform a contemporaneous review for each inspection of a project. Each entity shall develop standard procedures to advise inspectors on how to conduct a contemporaneous review. Each entity must post its standard procedures on its public website and provide the director of the division of professions and occupations within the department of regulatory agencies with a link to the web page on which the standard procedures have been posted.

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

SECTION 1. In Colorado Revised Statutes, 12-58-114.2, amend (4)(a); and repeal (4)(b) as follows:

12-58-114.2. Plumbing inspectors - qualifications. (4) (a) A plumbing inspectors INSPECTOR performing inspections who are employed by a qualified state institution of higher education, shall INCORPORATED TOWN OR CITY, COUNTY, OR CITY AND COUNTY MUST:

(I) Be certified as A commercial plumbing inspectors INSPECTOR by a nationally recognized model code organization and MUST possess a valid journeyman or master plumber license issued by the state;

(II) In addition, such plumbing inspectors shall Possess the same qualifications required of state plumbing inspectors under this article, ARTICLE 58;

(III) shall Be registered with the board prior to the assumption of their duties, BEFORE BEGINNING INSPECTIONS;

(IV) shall Not inspect any plumbing work in which the inspector has any financial or other personal interest; and shall

(V) Not be engaged in the plumbing business by contracting, supplying material, or performing plumbing work; as defined in this
article. In addition, any such plumbing inspector AND

(VI) If inspecting a medical gas installation, shall hold the
national inspection certification ASSE 6020 or recognized equivalent.

(b) As part of their duties, plumbing inspectors performing
inspections who are employed by a qualified state institution of higher
education have the authority to verify the plumbing licenses or
apprenticeship registration cards issued by the state for those people
performing the plumbing work on a project.

SECTION 2. In Colorado Revised Statutes, 12-58-114.5, add
(10) as follows:

12-58-114.5. 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 58.

(b) (I) Inspections performed by an inspecting entity must
include, for each project, a contemporaneous review to ensure
compliance with sections 12-58-105 and 12-58-117. 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
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.

(III) AN INSPECTOR MAY FILE A COMPLAINT WITH THE BOARD FOR
ANY VIOLATION OF THIS ARTICLE 58.

SECTION 3. Act subject to petition - effective date -
applicability. (1) Section 1 of this act takes effect January 1, 2022, and
the remainder of 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 such period, 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; except that
section 1 of this act will take effect January 1, 2022.

(2) This act applies to conduct occurring on or after the applicable
effective date of this act.