

CHAPTER 118

EDUCATION - POSTSECONDARY

HOUSE BILL 15-1295

BY REPRESENTATIVE(S) Melton and Priola, Arndt, Joshi, Nordberg, Ransom, Tate, Van Winkle, Windholz, Becker K., Brown, Conti, Duran, Fields, Mitsch Bush, Pettersen;
 also SENATOR(S) Holbert, Balmer, Hodge, Newell, Cooke, Grantham, Heath, Lambert, Lundberg, Marble, Merrifield, Scheffel, Scott, Todd, Woods.

AN ACT**CONCERNING INSPECTIONS CONDUCTED BY INSTITUTIONS OF HIGHER EDUCATION.**

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

SECTION 1. In Colorado Revised Statutes, 12-23-101, **amend** (3.7) as follows:

12-23-101. Definitions. As used in this article, unless the context otherwise requires:

(3.7) "Qualified state institution of higher education" means:

(a) One of the state institutions of higher education established under, specified in, and located upon the campuses described in sections 23-20-101 (1) (a) and 23-31-101, C.R.S., limited to the buildings owned or leased by those institutions on said campuses;

(b) THE INSTITUTION WHOSE CAMPUS IS ESTABLISHED UNDER AND SPECIFIED IN SECTION 23-20-101 (1) (b), C.R.S., BUT LIMITED TO THE BUILDINGS LOCATED IN DENVER AT 1380 LAWRENCE STREET, 1250 FOURTEENTH STREET, AND 1475 LAWRENCE STREET; and

(c) THE INSTITUTION WHOSE CAMPUS IS ESTABLISHED UNDER AND SPECIFIED IN SECTION 23-20-101 (1) (d), C.R.S., BUT LIMITED TO CURRENT AND FUTURE BUILDINGS OWNED, LEASED, OR BUILT ON LAND OWNED ON OR BEFORE JANUARY 1, 2015, BY THE UNIVERSITY OF COLORADO ON THE CAMPUS DESCRIBED IN SECTION 23-20-101 (1) (d), C.R.S.

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

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

12-23-102.5. Repeal of article. This article is repealed, effective July 1, 2019. Prior to such repeal, the state electrical board, INCLUDING PROVISIONS RELATING TO QUALIFIED STATE INSTITUTIONS OF HIGHER EDUCATION, shall be reviewed as provided for in section 24-34-104, C.R.S.

SECTION 3. In Colorado Revised Statutes, 12-23-115, **amend** (1) (b) as follows:

12-23-115. Inspectors - qualifications. (1) (b) Any employee of a private, municipal, or cooperative electric utility rendering service to the ultimate public shall be prohibited from employment as an electrical inspector only when in the performance of any electrical work as defined in this article. Electrical inspectors performing electrical inspections who are employed by any city, town, county, city and county, or qualified state institution of higher education shall possess the same qualifications required of state electrical inspectors under this section, shall be registered with the board prior to the assumption of their duties, shall not inspect any electrical work in which such inspector has any financial or other personal interest, and shall not be engaged, within the jurisdiction employing such inspector, in the electrical business by contracting, supplying material, or performing electrical work as defined in this article. ADDITIONALLY, ELECTRICAL INSPECTORS PERFORMING ELECTRICAL INSPECTIONS WHO ARE EMPLOYED BY A QUALIFIED STATE INSTITUTION OF HIGHER EDUCATION SHALL POSSESS AN ACTIVE JOURNEYMAN OR MASTER ELECTRICIAN LICENSE. A supervisor overseeing the work of an electrical inspector who is employed by a qualified state institution of higher education shall not direct such electrical inspector to violate any provision of this article. An electrical inspector employed by a qualified state institution of higher education shall not be coerced by a supervisor when filing a complaint with the board, or when such electrical inspector disapproves an electrical installation that violates the provisions of this article.

SECTION 4. In Colorado Revised Statutes, 12-23-111, **amend** (15) as follows:

12-23-111. Exemptions. (15) Inasmuch as electrical licensing and the examination of persons performing electrical work is a matter of statewide concern, ~~no~~ examination, certification, licensing, or registration of electrical contractors, master electricians, journeymen electricians, residential wiremen, or apprentices who are licensed, registered, or certified under this article shall NOT be required by any city, town, county, city and county, or qualified state institution of higher education; however, any such local governmental authority or qualified state institution of higher education may impose reasonable registration requirements on any electrical contractor as a condition of performing services within the jurisdiction of such authority or within ~~the buildings of~~ OWNED OR LEASED OR ON LAND OWNED BY such qualified state institution of higher education. No fee shall be charged for such registration.

SECTION 5. In Colorado Revised Statutes, 12-23-116, **amend** (1) (a), (2) (a), and (8) as follows:

12-23-116. Inspection - application - standards - repeal. (1) (a) An individual

required to have electrical inspection under this article shall apply to the board for an electrical permit, except where an incorporated town or city, county, city and county, or qualified state institution of higher education has a building department that meets the minimum standards of this article and that processes applications for building permits and inspections, in which case the individual shall apply to such building department. A qualified state institution of higher education with a building department that meets or exceeds the minimum standards adopted by the board under this article shall process applications for permits and inspections only from the institution and from contractors working for the BENEFIT OF THE institution, and shall conduct inspections only of work performed for the benefit of the institution. Each inspection must include a contemporaneous review to ensure that the requirements of this article, and specifically section 12-23-110.5, have been met.

(2) (a) The owner of an electrical installation in any new construction, other than manufactured units certified by the division of housing pursuant to section 24-32-3311, C.R.S., or remodeling or repair of an existing construction, except in any incorporated town or city, county, city and county, or qualified state institution of higher education having its own electrical code and inspection program equal to the minimum standards as are provided in this article, shall have the electrical portion of the installation, remodeling, or repair inspected by a state electrical inspector. A qualified state institution of higher education with a building department that meets or exceeds the minimum standards adopted by the board under this article shall process applications for permits and inspections only from the institution and from contractors working for the BENEFIT OF THE institution, and shall conduct inspections only of work performed for the benefit of the institution.

(8) (a) In the event that any incorporated town or city, county, city and county, or qualified state institution of higher education intends to commence or cease performing electrical inspections in its respective jurisdiction or, in the case of a qualified state institution of higher education, for its buildings OWNED, LEASED, OR ON ITS LAND, such public entity or institution shall commence or cease the same only as of July 1 of any year, and written notice of such intent shall MUST be given to the board on or before October 1 of the preceding calendar year. If such notice is not given and the use of state electrical inspectors is required within such notice requirement, the respective local government or qualified state institution of higher education of the respective jurisdiction or building requiring such inspections shall reimburse the state electrical board for any expenses incurred in performing such inspections, in addition to transmitting the required permit fees.

(b) (I) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (a) OF THIS SUBSECTION (8), A QUALIFIED STATE INSTITUTION OF HIGHER EDUCATION MAY COMMENCE PERFORMING ELECTRICAL INSPECTIONS PURSUANT TO THIS SECTION ON JULY 1, 2015, WITHOUT HAVING GIVEN THE REQUIRED WRITTEN NOTICE.

(II) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE JULY 1, 2016.

SECTION 6. In Colorado Revised Statutes, 12-58-102, **amend** (8.5) as follows:

12-58-102. Definitions. As used in this article, unless the context otherwise requires:

(8.5) "Qualified state institution of higher education" means:

(a) One of the state institutions of higher education established under, specified in, and located upon the campuses described in sections 23-20-101 (1) (a) and 23-31-101, C.R.S., limited to the buildings owned or leased by those institutions on said campuses;

(b) THE INSTITUTION WHOSE CAMPUS IS ESTABLISHED UNDER AND SPECIFIED IN SECTION 23-20-101 (1) (b), C.R.S., BUT LIMITED TO THE BUILDINGS LOCATED IN DENVER AT 1380 LAWRENCE STREET, 1250 FOURTEENTH STREET, AND 1475 LAWRENCE STREET; AND

(c) THE INSTITUTION WHOSE CAMPUS IS ESTABLISHED UNDER AND SPECIFIED IN SECTION 23-20-101 (1) (d), C.R.S., BUT LIMITED TO CURRENT AND FUTURE BUILDINGS OWNED OR LEASED OR BUILT ON LAND OWNED ON OR BEFORE JANUARY 1, 2015, BY THE UNIVERSITY OF COLORADO ON THE CAMPUS DESCRIBED IN SECTION 23-20-101 (1) (d), C.R.S.

SECTION 7. In Colorado Revised Statutes, 12-58-103, **amend** (5) as follows:

12-58-103. Examining board of plumbers - repeal of article. (5) This article is repealed, effective September 1, 2024. Prior to such repeal, the state plumbing board, INCLUDING PROVISIONS RELATED TO QUALIFIED STATE INSTITUTIONS OF HIGHER EDUCATION, shall be reviewed as provided for in section 24-34-104, C.R.S.

SECTION 8. In Colorado Revised Statutes, 12-58-114.2, **amend** (4) (a) as follows:

12-58-114.2. Plumbing inspectors - qualifications. (4)(a) Plumbing inspectors performing inspections who are employed by a qualified state institution of higher education shall BE CERTIFIED AS COMMERCIAL PLUMBING INSPECTORS BY A NATIONALLY RECOGNIZED MODEL CODE ORGANIZATION AND possess a valid journeyman or master plumber license issued by the state. In addition, such plumbing inspectors shall possess the same qualifications required of state plumbing inspectors under this article, shall be registered with the board prior to the assumption of their duties, shall not inspect any plumbing work in which the inspector has any financial or other personal interest, and shall 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 INSPECTING A MEDICAL GAS INSTALLATION SHALL HOLD THE NATIONAL INSPECTION CERTIFICATION ASSE 6020 OR RECOGNIZED EQUIVALENT.

SECTION 9. In Colorado Revised Statutes, 12-58-114.5, **amend** (1), (6), and (8) as follows:

12-58-114.5. Inspection - application - standards - repeal. (1) Any plumbing or gas piping installation in any new construction or remodeling or repair, other than manufactured units inspected in accordance with the provisions of part 7 of article 32 of title 24, C.R.S., except for such new construction or remodeling or repair in any incorporated town or city, county, city and county, or in a building owned or leased OR ON LAND OWNED by a qualified state institution of higher education where

such local entity or qualified state institution of higher education conducts inspections and issues permits, must be inspected by a state plumbing inspector. A state plumbing inspector shall inspect any new construction, remodeling, or repair subject to the provisions of this subsection (1) within three working days after the receipt of the application for inspection. Prior to the commencement of any such plumbing or gas piping installation, the person making such installation shall apply for a permit and pay the required fee. Every mobile home or movable structure owner shall have the plumbing and gas piping hookup for such mobile home or movable structure inspected prior to obtaining new or different plumbing or gas service. A qualified state institution of higher education with a building department that meets or exceeds the minimum standards adopted by the board under this article shall process applications for permits and inspections only from the institution and from contractors working for the BENEFIT OF THE institution, and shall conduct inspections only of work performed for the benefit of the institution. Each inspection must include a contemporaneous review to ensure that the requirements of section 12-58-105 have been met. A QUALIFIED STATE INSTITUTION OF HIGHER EDUCATION SHALL ENFORCE STANDARDS THAT ARE AT LEAST AS STRINGENT AS ANY MINIMUM STANDARDS ADOPTED BY THE BOARD.

(6) If an incorporated town or city, county, city and county, or qualified state institution of higher education intends to commence or cease performing plumbing or gas piping inspections in its respective jurisdiction, or for its ~~respective~~ buildings OWNED OR LEASED OR ON ITS LAND, written notice of such intent ~~shall~~ MUST be given to the board.

(8) (a) If an incorporated town or city, county, city and county, or qualified state institution of higher education intends to commence or cease performing plumbing inspections in its jurisdiction or for the buildings owned or leased by OR ON LAND OF a qualified state institution of higher education, it shall commence or cease the same only as of July 1 of any year, and written notice of such intent must be given to the board on or before October 1 of the preceding calendar year. If such notice is not given and the use of state plumbing inspectors is required within the respective jurisdiction or building affected by the notice requirement, the respective local government or qualified state institution of higher education of the respective jurisdiction or building requiring such inspections shall reimburse the board for any expenses incurred in performing such inspections, in addition to transmitting the required permit fees.

(b) (I) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (a) OF THIS SUBSECTION (8), A QUALIFIED STATE INSTITUTION OF HIGHER EDUCATION MAY COMMENCE PERFORMING PLUMBING INSPECTIONS PURSUANT TO THIS SECTION ON JULY 1, 2015, WITHOUT HAVING GIVEN THE REQUIRED WRITTEN NOTICE.

(II) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE JULY 1, 2016.

SECTION 10. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 24, 2015