

**First Regular Session
Seventieth General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 15-0506.01 Jerry Barry x4341

HOUSE BILL 15-1295

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A BILL FOR AN ACT

101 **CONCERNING INSPECTIONS CONDUCTED BY INSTITUTIONS OF HIGHER**
102 **EDUCATION.**

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://www.leg.state.co.us/billsummaries>.)

Current law authorizes the university of Colorado (CU) to conduct electrical and plumbing inspections for its buildings on the Boulder campus. The bill extends this authorization to the Denver campus and the health sciences campus and to buildings on property owned by the Boulder, Denver, or health sciences campuses but excludes contiguous buildings at the Auraria higher education center.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
2nd Reading Unamended
April 13, 2015

HOUSE
3rd Reading Unamended
March 30, 2015

HOUSE
Amended 2nd Reading
March 27, 2015

Current law also requires CU or any local government to start or cease inspections as of July 1 of any year and requires them to notify the state electrical board or the state plumbing board of its intentions by October 1 of the preceding calendar year. The bill allows CU to start its inspections on July 1, 2015, without having given the required notice.

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

2 **SECTION 1.** In Colorado Revised Statutes, 12-23-101, **amend**
3 (3.7) as follows:

4 **12-23-101. Definitions.** As used in this article, unless the context
5 otherwise requires:

6 (3.7) "Qualified state institution of higher education" means:

7 (a) One of the state institutions of higher education established
8 under, specified in, and located upon the campuses described in sections
9 23-20-101 (1) (a) and 23-31-101, C.R.S., limited to the buildings owned
10 or leased by those institutions on said campuses;

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

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

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

22 **12-23-102.5. Repeal of article.** This article is repealed, effective
23 July 1, 2019. Prior to such repeal, the state electrical board, INCLUDING

1 PROVISIONS RELATING TO QUALIFIED STATE INSTITUTIONS OF HIGHER
2 EDUCATION, shall be reviewed as provided for in section 24-34-104,
3 C.R.S.

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

6 **12-23-115. Inspectors - qualifications.** (1) (b) Any employee of
7 a private, municipal, or cooperative electric utility rendering service to the
8 ultimate public shall be prohibited from employment as an electrical
9 inspector only when in the performance of any electrical work as defined
10 in this article. Electrical inspectors performing electrical inspections who
11 are employed by any city, town, county, city and county, or qualified state
12 institution of higher education shall possess the same qualifications
13 required of state electrical inspectors under this section, shall be
14 registered with the board prior to the assumption of their duties, shall not
15 inspect any electrical work in which such inspector has any financial or
16 other personal interest, and shall not be engaged, within the jurisdiction
17 employing such inspector, in the electrical business by contracting,
18 supplying material, or performing electrical work as defined in this
19 article. ADDITIONALLY, ELECTRICAL INSPECTORS PERFORMING
20 ELECTRICAL INSPECTIONS WHO ARE EMPLOYED BY A QUALIFIED STATE
21 INSTITUTION OF HIGHER EDUCATION SHALL POSSESS AN ACTIVE
22 JOURNEYMAN OR MASTER ELECTRICIAN LICENSE. A supervisor overseeing
23 the work of an electrical inspector who is employed by a qualified state
24 institution of higher education shall not direct such electrical inspector to
25 violate any provision of this article. An electrical inspector employed by
26 a qualified state institution of higher education shall not be coerced by a
27 supervisor when filing a complaint with the board, or when such electrical

1 inspector disapproves an electrical installation that violates the provisions
2 of this article.

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

5 **12-23-111. Exemptions.** (15) Inasmuch as electrical licensing
6 and the examination of persons performing electrical work is a matter of
7 statewide concern, ~~no~~ examination, certification, licensing, or registration
8 of electrical contractors, master electricians, journeymen electricians,
9 residential wiremen, or apprentices who are licensed, registered, or
10 certified under this article shall NOT be required by any city, town, county,
11 city and county, or qualified state institution of higher education;
12 however, any such local governmental authority or qualified state
13 institution of higher education may impose reasonable registration
14 requirements on any electrical contractor as a condition of performing
15 services within the jurisdiction of such authority or within ~~the~~ buildings
16 ~~of~~ OWNED OR LEASED OR ON LAND OWNED BY such qualified state
17 institution of higher education. No fee shall be charged for such
18 registration.

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

21 **12-23-116. Inspection - application - standards - repeal.**

22 (1) (a) An individual required to have electrical inspection under this
23 article shall apply to the board for an electrical permit, except where an
24 incorporated town or city, county, city and county, or qualified state
25 institution of higher education has a building department that meets the
26 minimum standards of this article and that processes applications for
27 building permits and inspections, in which case the individual shall apply

1 to such building department. A qualified state institution of higher
2 education with a building department that meets or exceeds the minimum
3 standards adopted by the board under this article shall process
4 applications for permits and inspections only from the institution and
5 from contractors working for the BENEFIT OF THE institution, and shall
6 conduct inspections only of work performed for the benefit of the
7 institution. Each inspection must include a contemporaneous review to
8 ensure that the requirements of this article, and specifically section
9 12-23-110.5, have been met.

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

24 (8) (a) In the event that any incorporated town or city, county, city
25 and county, or qualified state institution of higher education intends to
26 commence or cease performing electrical inspections in its respective
27 jurisdiction or, in the case of a qualified state institution of higher

1 education, for its buildings OWNED, LEASED, OR ON ITS LAND, such public
2 entity or institution shall commence or cease the same only as of July 1
3 of any year, and written notice of such intent shall MUST be given to the
4 board on or before October 1 of the preceding calendar year. If such
5 notice is not given and the use of state electrical inspectors is required
6 within such notice requirement, the respective local government or
7 qualified state institution of higher education of the respective jurisdiction
8 or building requiring such inspections shall reimburse the state electrical
9 board for any expenses incurred in performing such inspections, in
10 addition to transmitting the required permit fees.

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

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

17 **SECTION 6.** In Colorado Revised Statutes, 12-58-102, **amend**
18 (8.5) as follows:

19 **12-58-102. Definitions.** As used in this article, unless the context
20 otherwise requires:

21 (8.5) "Qualified state institution of higher education" means:

22 (a) One of the state institutions of higher education established
23 under, specified in, and located upon the campuses described in sections
24 23-20-101 (1) (a) and 23-31-101, C.R.S., limited to the buildings owned
25 or leased by those institutions on said campuses;

26 (b) THE INSTITUTION WHOSE CAMPUS IS ESTABLISHED UNDER AND
27 SPECIFIED IN SECTION 23-20-101 (1) (b), C.R.S., BUT LIMITED TO THE

1 BUILDINGS LOCATED IN DENVER AT 1380 LAWRENCE STREET, 1250
2 FOURTEENTH STREET, AND 1475 LAWRENCE STREET; AND

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

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

10 **12-58-103. Examining board of plumbers - repeal of article.**

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

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

17 **12-58-114.2. Plumbing inspectors - qualifications.**

18 (4) (a) Plumbing inspectors performing inspections who are employed by
19 a qualified state institution of higher education shall BE CERTIFIED AS
20 COMMERCIAL PLUMBING INSPECTORS BY A NATIONALLY RECOGNIZED
21 MODEL CODE ORGANIZATION AND possess a valid journeyman or master
22 plumber license issued by the state. In addition, such plumbing inspectors
23 shall possess the same qualifications required of state plumbing
24 inspectors under this article, shall be registered with the board prior to the
25 assumption of their duties, shall not inspect any plumbing work in which
26 the inspector has any financial or other personal interest, and shall not be
27 engaged in the plumbing business by contracting, supplying material, or

1 performing plumbing work as defined in this article. IN ADDITION, ANY
2 SUCH PLUMBING INSPECTOR INSPECTING A MEDICAL GAS INSTALLATION
3 SHALL HOLD THE NATIONAL INSPECTION CERTIFICATION ASSE 6020 OR
4 RECOGNIZED EQUIVALENT.

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

7 **12-58-114.5. Inspection - application - standards - repeal.**

8 (1) Any plumbing or gas piping installation in any new construction or
9 remodeling or repair, other than manufactured units inspected in
10 accordance with the provisions of part 7 of article 32 of title 24, C.R.S.,
11 except for such new construction or remodeling or repair in any
12 incorporated town or city, county, city and county, or in a building owned
13 or leased OR ON LAND OWNED by a qualified state institution of higher
14 education where such local entity or qualified state institution of higher
15 education conducts inspections and issues permits, must be inspected by
16 a state plumbing inspector. A state plumbing inspector shall inspect any
17 new construction, remodeling, or repair subject to the provisions of this
18 subsection (1) within three working days after the receipt of the
19 application for inspection. Prior to the commencement of any such
20 plumbing or gas piping installation, the person making such installation
21 shall apply for a permit and pay the required fee. Every mobile home or
22 movable structure owner shall have the plumbing and gas piping hookup
23 for such mobile home or movable structure inspected prior to obtaining
24 new or different plumbing or gas service. A qualified state institution of
25 higher education with a building department that meets or exceeds the
26 minimum standards adopted by the board under this article shall process
27 applications for permits and inspections only from the institution and

1 from contractors working for the BENEFIT OF THE institution, and shall
2 conduct inspections only of work performed for the benefit of the
3 institution. Each inspection must include a contemporaneous review to
4 ensure that the requirements of section 12-58-105 have been met. A
5 QUALIFIED STATE INSTITUTION OF HIGHER EDUCATION SHALL ENFORCE
6 STANDARDS THAT ARE AT LEAST AS STRINGENT AS ANY MINIMUM
7 STANDARDS ADOPTED BY THE BOARD.

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

13 (8) (a) If an incorporated town or city, county, city and county, or
14 qualified state institution of higher education intends to commence or
15 cease performing plumbing inspections in its jurisdiction or for the
16 buildings owned or leased by OR ON LAND OF a qualified state institution
17 of higher education, it shall commence or cease the same only as of July
18 1 of any year, and written notice of such intent must be given to the board
19 on or before October 1 of the preceding calendar year. If such notice is
20 not given and the use of state plumbing inspectors is required within the
21 respective jurisdiction or building affected by the notice requirement, the
22 respective local government or qualified state institution of higher
23 education of the respective jurisdiction or building requiring such
24 inspections shall reimburse the board for any expenses incurred in
25 performing such inspections, in addition to transmitting the required
26 permit fees.

27 (b) (I) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (a) OF

1 THIS SUBSECTION (8), A QUALIFIED STATE INSTITUTION OF HIGHER
2 EDUCATION MAY COMMENCE PERFORMING PLUMBING INSPECTIONS
3 PURSUANT TO THIS SECTION ON JULY 1, 2015, WITHOUT HAVING GIVEN THE
4 REQUIRED WRITTEN NOTICE.

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

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