

**The First Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 13-0160.01 Chuck Brackney x2295

**SENATE BILL 13-162**

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**SENATE SPONSORSHIP**

**Tochtrop,**

**HOUSE SPONSORSHIP**

**Kraft-Tharp,**

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**Senate Committees**

Business, Labor, & Technology  
Appropriations

**House Committees**

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**A BILL FOR AN ACT**

101     **CONCERNING THE CONTINUATION OF THE EXAMINING BOARD OF**  
102     **PLUMBERS.**

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**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.>)*

**Sunset Process - Senate Business, Labor, and Technology Committee.** The bill continues the examining board of plumbers and the statutory article governing the regulation of plumbers until September 1, 2024.

The standards of the international plumbing code are made the

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.*

minimum standards for plumbing in the state. The board is further directed to adopt a fuel gas code for the inspection of gas piping installations.

The board is given authority to conduct inspections in local jurisdictions. The board may make a finding that a local jurisdiction has failed to meet the minimum requirements of state law.

The bill repeals existing provisions requiring dual certification of fire sprinkler inspectors and allowing plumbing work to continue if an inspection is not completed within 5 days.

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

**SECTION 1.** In Colorado Revised Statutes, 24-34-104, **amend** (44) introductory portion; **repeal** (44) (d); and **add** (55) as follows:

**24-34-104. General assembly review of regulatory agencies and functions for termination, continuation, or reestablishment.**

(44) The following agencies, functions, or both, ~~shall~~ terminate on July 1, 2013:

(d) ~~The examining board of plumbers, created by article 58 of title 12, C.R.S.;~~

(55) THE FOLLOWING AGENCIES, FUNCTIONS, OR BOTH, TERMINATE ON SEPTEMBER 1, 2024:

(a) THE STATE PLUMBING BOARD, CREATED BY ARTICLE 58 OF TITLE 12, C.R.S.

**SECTION 2.** In Colorado Revised Statutes, 12-58-102, **amend** (1), (4), and (5) (a) introductory portion; **repeal** (5) (a) (I) and (5) (a) (II); and **add** (4.1) as follows:

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

(1) "Board" means ~~the examining board of plumbers~~ STATE PLUMBING BOARD.

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(4) "Colorado plumbing code" OR "THE CODE" means a code established by the board that consists of standards for plumbing installation, plumbing materials, conservation, medical gas, sanitary drainage systems, and solar plumbing that could directly affect the potable water supply.

(4.1) "COLORADO FUEL GAS CODE" MEANS A CODE ADOPTED BY RULE BY THE BOARD FOR THE INSPECTION OF PLUMBING FUEL GAS PIPE INSTALLATIONS.

(5)(a) "Plumbing" includes the following items located within the building or extending five feet from the building foundation, excluding any service line extending from the first joint to the property line: All potable water supply and distribution pipes and piping; all plumbing fixtures and traps; all drainage and vent pipes; all building drains, including their respective joints and connections, devices, receptacles, and appurtenances; all multipurpose residential fire sprinkler systems in one- and two-family dwellings and townhouses that are part of the potable water supply; and all medical gas and vacuum systems in health care facilities. "Plumbing" does not include:

(I) The installation, extension, alteration, or maintenance, including the related water piping and the indirect waste piping therefrom, of domestic appliances equipped with backflow preventers, including lawn sprinkling systems, residential ice makers, humidifiers, electrostatic filter washers, water heating appliances, water conditioning appliances not directly connected to the sanitary sewer system, building heating appliances and systems, fire protection systems except for multipurpose residential fire sprinkler systems in one- and two-family

1 dwelling and townhouses that are part of the potable water supply, air  
2 conditioning installations, process and industrial equipment and piping  
3 systems, or indirect drainage systems not a part of a sanitary sewer  
4 system; or

5 (II) The repair and replacement of garbage disposal units and  
6 dishwashers directly connected to the sanitary sewer system, including the  
7 necessary replacement of all tail pipes and traps, or the repair,  
8 maintenance, and replacement of sinks, faucets, drains, showers, tubs, and  
9 toilets.

10 **SECTION 3.** In Colorado Revised Statutes, 12-58-103, **amend**  
11 (1), (3) (a), and (5) as follows:

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

13 (1) There is hereby established within the division of professions and  
14 occupations of the department of regulatory agencies the examining board  
15 of plumbers. STATE PLUMBING BOARD. The board shall exercise its powers  
16 and perform its duties and functions in the department of regulatory  
17 agencies as if it were transferred to the department by a **type 1** transfer,  
18 as such transfer is defined in the "Administrative Organization Act of  
19 1968", article 1 of title 24, C.R.S.

20 (3) (a) The governor, with power of removal, shall appoint the  
21 members of the board, subject to confirmation by the senate. except that  
22 the five members serving on June 30, 1982, shall continue to serve until  
23 the expiration of their respective terms of office. The governor shall  
24 appoint one additional member to serve until July 1, 1983, and another  
25 additional member to serve until July 1, 1986. Thereafter, members shall  
26 be BOARD MEMBERS ARE appointed for four-year terms. Any vacancy  
27 occurring in the membership of the board shall be filled by the governor

1 by appointment for the unexpired term of such member.

2 (5) This article is repealed, effective July 1, 2013 SEPTEMBER 1,  
3 2024. Prior to such repeal, the examining board of plumbers STATE  
4 PLUMBING BOARD shall be reviewed as provided for in section 24-34-104,  
5 C.R.S.

6 **SECTION 4.** In Colorado Revised Statutes, 12-58-104, **amend**  
7 (1) (e) and (1) (f); **repeal** (1) (k); and **add** (1) (l), (1) (m), and (1) (n) as  
8 follows:

9 **12-58-104. Powers of board - fees - rules.** (1) In addition to all  
10 other powers and duties conferred or imposed upon the board by this  
11 article, the board is authorized and empowered to:

12 (e) In accordance with ~~the provisions of~~ article 4 of title 24,  
13 C.R.S., prescribe, enforce, amend, and repeal rules ~~and regulations~~  
14 governing the plumbing drainage, sewerage, and plumbing ventilation  
15 SYSTEMS of all buildings in this state. == == ==

16 (f) Employ PLUMBERS LICENSED UNDER THIS ARTICLE AS  
17 JOURNEYMAN OR MASTER PLUMBERS AS STATE PLUMBING inspectors and  
18 charge fees for making inspections of plumbing work covered by the  
19 Colorado plumbing code in those areas where the local jurisdiction ~~has~~  
20 ~~not adopted its own plumbing code and where that jurisdiction has~~  
21 ~~requested such inspections~~ DOES NOT CONDUCT INSPECTIONS AND ISSUE  
22 PERMITS;

23 (k) ~~Establish minimum requirements and standards for the~~  
24 ~~inspection of multipurpose residential fire sprinkler systems in one- and~~  
25 ~~two-family dwellings and townhouses that are part of the potable water~~  
26 ~~supply, by requiring inspectors of multipurpose residential fire sprinkler~~  
27 ~~systems in one- and two-family dwellings and townhouses to be certified~~

1 by the division of fire prevention and control in the department of public  
2 safety pursuant to section ~~24-33.5-1206.4, C.R.S.~~

3 (l) FIND, UPON HOLDING A HEARING, THAT AN INCORPORATED  
4 TOWN OR CITY, COUNTY, OR CITY AND COUNTY FAILS TO MEET THE  
5 MINIMUM REQUIREMENTS OF THIS ARTICLE IF THE LOCAL INSPECTION  
6 AUTHORITY HAS FAILED TO ADHERE TO THE MINIMUM STANDARDS  
7 REQUIRED BY THIS ARTICLE WITHIN TWELVE MONTHS AFTER THE BOARD  
8 HAS ADOPTED THE STANDARDS BY RULE PURSUANT TO THIS SUBSECTION  
9 (1);

10 (m) ISSUE AN ORDER TO CEASE AND DESIST FROM ISSUING PERMITS  
11 OR PERFORMING INSPECTIONS UNDER THIS ARTICLE TO AN INCORPORATED  
12 TOWN OR CITY, COUNTY, OR CITY AND COUNTY UPON FINDING THAT THE  
13 PUBLIC ENTITY FAILS TO MEET THE MINIMUM REQUIREMENTS OF THIS  
14 ARTICLE UNDER THIS SUBSECTION (1);

15 (n) APPLY TO A COURT TO ENJOIN AN INCORPORATED TOWN OR  
16 CITY, COUNTY, OR CITY AND COUNTY FROM VIOLATING AN ORDER ISSUED  
17 PURSUANT TO PARAGRAPH (m) OF THIS SUBSECTION (1).

18 **SECTION 5.** In Colorado Revised Statutes, 12-58-104.5, **amend**  
19 (1) and (2); and **add** (5) as follows:

20 **12-58-104.5. Colorado plumbing code - amendments -**  
21 **variances - Colorado fuel gas code.** (1) In accordance with ~~the~~  
22 ~~provisions of~~ article 4 of title 24, C.R.S., the board shall establish a  
23 Colorado plumbing code, as defined in section 12-58-102 (4). Such code  
24 shall represent the minimum standards for installation, alteration, and  
25 repair of plumbing equipment and systems throughout the state.

26 (2) Local governments ~~shall be~~ ARE permitted to amend the code  
27 ~~when adopting a plumbing code~~ for their jurisdictions as long as such

1 amendments are at least equal to the minimum requirements set forth in  
2 the Colorado plumbing code.

3 (5) THE BOARD SHALL ADOPT A COLORADO FUEL GAS CODE FOR  
4 THE GAS PIPING INSTALLATIONS INSPECTION REQUIREMENT OF SECTION  
5 12-58-104 (1) (j).

6 **SECTION 6. In Colorado Revised Statutes, 12-58-107, amend**  
7 **(1) (a) as follows:**

8 **12-58-107. License issuance - examination.** (1) (a) The board  
9 shall issue licenses to persons who have by examination and experience  
10 shown themselves competent and qualified to engage in the business,  
11 trade, or calling of a residential plumber, journeyman plumber, or master  
12 plumber. The board shall establish the minimum level of experience  
13 required for an applicant to receive a residential, journeyman, or master  
14 plumber's license. The maximum experience the board may require for an  
15 applicant to qualify to receive TEST FOR a residential plumber's license is  
16 two years or three thousand four hundred hours of practical experience.  
17 The maximum experience the board may require for an applicant to  
18 qualify to receive TEST FOR a journeyman plumber's license is four years  
19 or six thousand eight hundred hours of practical experience. An applicant  
20 for a master plumber's license shall furnish evidence that he has five years  
21 of practical experience. THE MAXIMUM EXPERIENCE THE BOARD MAY  
22 REQUIRE FOR AN APPLICANT TO TEST FOR A MASTER PLUMBER'S LICENSE  
23 IS EIGHT THOUSAND FIVE HUNDRED HOURS OF PRACTICAL EXPERIENCE.

24 **SECTION 7. In Colorado Revised Statutes, repeal and reenact,**  
25 **with amendments, 12-58-107.5 as follows:**

26 **12-58-107.5. Credit for experience received outside of**  
27 **Colorado. FOR ALL APPLICANTS SEEKING WORK EXPERIENCE CREDIT**

1 TOWARD LICENSURE FOR PLUMBING WORK EXPERIENCE RECEIVED OUTSIDE  
2 OF COLORADO, THE BOARD SHALL GIVE CREDIT FOR SUCH WORK  
3 EXPERIENCE IF THE APPLICANT CAN SHOW TO THE SATISFACTION OF THE  
4 BOARD THAT THE PARTICULAR EXPERIENCE IS ADEQUATE TO COMPLY WITH  
5 THE REQUIREMENTS OF THIS ARTICLE.

6 **SECTION 8.** In Colorado Revised Statutes, amend 12-58-108 as  
7 follows:

8 **12-58-108. License renewal - reinstatement.** (1) All license  
9 AND CONTRACTOR REGISTRATION renewal and renewal fees shall be in  
10 accordance with the provisions of sections 24-34-102 and 24-34-105,  
11 C.R.S.

12 (2) Any license OR CONTRACTOR REGISTRATION that has lapsed  
13 shall be deemed to have expired. Prior to reinstatement, the board is  
14 authorized to require the licensee to demonstrate competency. Licenses  
15 shall be renewed or reinstated pursuant to a schedule established by the  
16 director of the division of professions and occupations within the  
17 department of regulatory agencies and pursuant to section 24-34-102 (8),  
18 C.R.S. The director of the division of professions and occupations within  
19 the department of regulatory agencies may establish renewal fees and  
20 delinquency fees for reinstatement pursuant to section 24-34-105, C.R.S.  
21 If a person fails to renew his or her license pursuant to the schedule  
22 established by the director of the division of professions and occupations,  
23 such license OR CONTRACTOR REGISTRATION shall expire. Any person  
24 whose license OR CONTRACTOR REGISTRATION has expired shall be subject  
25 to the penalties provided in this article or section 24-34-102 (8), C.R.S.

26 **SECTION 9.** In Colorado Revised Statutes, 12-58-110, amend  
27 (1) (p) as follows:



1           **12-58-110. Disciplinary action by board - licenses or**  
2           **registrations denied, suspended, or revoked - cease-and-desist orders.**

3           (1) The board may deny, suspend, revoke, or refuse to renew any license  
4           or registration issued or applied for under the provisions of this article or  
5           place a licensee or a registrant on probation for any of the following  
6           reasons:

7                 (p) Selling or fraudulently obtaining or furnishing a license OR  
8                 REGISTRATION to practice as a residential, journeyman, or master plumber  
9                 OR PLUMBING CONTRACTOR or aiding or abetting in such activity;

10           **SECTION 10. In Colorado Revised Statutes, 12-58-113, add (6)**  
11           **as follows:**

12                 **12-58-113. Exemptions. (6) (a) NOTHING IN THIS ARTICLE**  
13                 **REQUIRES A PLUMBING LICENSE, CONTRACTOR REGISTRATION, OR PERMIT**  
14                 **TO PERFORM:**

15                 (I) THE INSTALLATION, EXTENSION, ALTERATION, OR  
16                 MAINTENANCE, INCLUDING THE RELATED WATER PIPING AND THE INDIRECT  
17                 WASTE PIPING, OF DOMESTIC APPLIANCES EQUIPPED WITH BACKFLOW  
18                 PREVENTERS, INCLUDING LAWN SPRINKLING SYSTEMS; RESIDENTIAL ICE  
19                 MAKERS, HUMIDIFIERS, ELECTROSTATIC FILTER WASHERS, OR WATER  
20                 HEATING APPLIANCES; BUILDING HEATING APPLIANCES AND SYSTEMS; FIRE  
21                 PROTECTION SYSTEMS EXCEPT FOR MULTIPURPOSE RESIDENTIAL FIRE  
22                 SPRINKLER SYSTEMS IN ONE- AND TWO-FAMILY DWELLINGS AND  
23                 TOWNHOUSES THAT ARE PART OF THE POTABLE WATER SUPPLY; AIR  
24                 CONDITIONING INSTALLATIONS; PROCESS AND INDUSTRIAL EQUIPMENT  
25                 AND PIPING SYSTEMS; OR INDIRECT DRAINAGE SYSTEMS NOT A PART OF A  
26                 SANITARY SEWER SYSTEM; OR

27                 (II) THE REPAIR AND REPLACEMENT OF GARBAGE DISPOSAL UNITS

1 AND DISHWASHERS DIRECTLY CONNECTED TO THE SANITARY SEWER  
2 SYSTEM, INCLUDING THE NECESSARY REPLACEMENT OF ALL TAIL PIPES  
3 AND TRAPS, OR THE REPAIR, MAINTENANCE, AND REPLACEMENT OF SINKS,  
4 FAUCETS, DRAINS, SHOWERS, TUBS, AND TOILETS.

5 (b) NOTWITHSTANDING PARAGRAPH (a) OF THIS SUBSECTION (6),  
6 "PLUMBING" DOES NOT INCLUDE:

7 (I) INSTALLATIONS, EXTENSIONS, IMPROVEMENTS, REMODELING,  
8 ADDITIONS, AND ALTERATIONS IN WATER AND SEWER SYSTEMS OWNED OR  
9 ACQUIRED BY COUNTIES PURSUANT TO ARTICLE 20 OF TITLE 30, C.R.S.,  
10 CITIES AND TOWNS PURSUANT TO ARTICLE 35 OF TITLE 31, C.R.S., OR  
11 WATER AND SANITATION DISTRICTS PURSUANT TO ARTICLE 1 OR ARTICLE  
12 4 OF TITLE 32, C.R.S.;

13 (II) INSTALLATIONS, EXTENSIONS, IMPROVEMENTS, REMODELING,  
14 ADDITIONS, AND ALTERATIONS PERFORMED BY CONTRACTORS EMPLOYED  
15 BY COUNTIES, CITIES, TOWNS, OR WATER AND SEWER DISTRICTS THAT  
16 CONNECT TO THE PLUMBING SYSTEM WITHIN A PROPERTY LINE; OR

17 (III) PERFORMANCE, LOCATION, CONSTRUCTION, ALTERATION,  
18 INSTALLATION, AND USE OF ON-SITE WASTEWATER TREATMENT SYSTEMS  
19 PURSUANT TO ARTICLE 10 OF TITLE 25, C.R.S., WHICH ARE LOCATED  
20 WITHIN A PROPERTY LINE.

21 **SECTION 11.** In Colorado Revised Statutes, 12-58-114.2,  
22 **amend** (1); and **add** (3) as follows:

23 **12-58-114.2. Plumbing inspectors - qualifications.** (1) The  
24 director of the division of professions and occupations is authorized to  
25 appoint or employ competent persons LICENSED UNDER THIS ARTICLE AS  
26 JOURNEYMAN OR MASTER PLUMBERS as state plumbing inspectors.

27 (3) (a) BEGINNING JULY 1, 2014, PERSONS LICENSED UNDER THIS

1 ARTICLE OR WHO ARE CERTIFIED AS A RESIDENTIAL PLUMBING INSPECTOR  
2 BY A NATIONALLY RECOGNIZED MODEL CODE ORGANIZATION ARE  
3 AUTHORIZED TO INSPECT RESIDENTIAL PLUMBING. ANY NEWLY HIRED  
4 INSPECTORS NOT LICENSED UNDER THIS ARTICLE OR CERTIFIED BY A  
5 NATIONALLY RECOGNIZED MODEL CODE ORGANIZATION HAVE ONE YEAR  
6 FROM THE DATE OF HIRE TO ACQUIRE THE NECESSARY LICENSE OR  
7 CERTIFICATION OR MEET THE HIRING REQUIREMENTS OF THE HIRING  
8 AUTHORITY, WHICHEVER IS MORE STRINGENT.

9 (b) BEGINNING JULY 1, 2014, PERSONS LICENSED UNDER THIS  
10 ARTICLE OR WHO ARE CERTIFIED AS A COMMERCIAL PLUMBING INSPECTOR  
11 BY A NATIONALLY RECOGNIZED MODEL CODE ORGANIZATION ARE  
12 AUTHORIZED TO INSPECT COMMERCIAL PLUMBING. ANY NEWLY HIRED  
13 INSPECTORS NOT LICENSED UNDER THIS ARTICLE OR CERTIFIED BY A  
14 NATIONALLY RECOGNIZED MODEL CODE ORGANIZATION HAVE ONE YEAR  
15 FROM THE DATE OF HIRE TO ACQUIRE THE NECESSARY LICENSE OR  
16 CERTIFICATION OR MEET THE HIRING REQUIREMENTS OF THE HIRING  
17 AUTHORITY, WHICHEVER IS MORE STRINGENT.

18 **SECTION 12.** In Colorado Revised Statutes, 12-58-117, **amend**  
19 **(1)** as follows:

20 **12-58-117. Apprentices.** (1) Any person may work as a  
21 plumbing apprentice for a ~~licensed plumber~~ REGISTERED PLUMBING  
22 CONTRACTOR but shall not do any plumbing work for which a license is  
23 required pursuant to this article except under the supervision of a licensed  
24 plumber. Supervision requires that ~~the~~ A licensed plumber supervise  
25 apprentices at the jobsite. One licensed journeyman plumber, master  
26 plumber, or residential plumber shall not supervise more than three  
27 apprentice plumbers at the same jobsite.

1           **SECTION 13.** In Colorado Revised Statutes, 12-58-114.5,  
2   **amend** (1) and (3) (a) introductory portion; and **add** (8) as follows:

3           **12-58-114.5. Inspection - application - standards.** (1) Any  
4   plumbing or gas piping installation in any new construction or remodeling  
5   or repair, other than manufactured units inspected in accordance with the  
6   provisions of part 7 of article 32 of title 24, C.R.S., except in any  
7   incorporated town or city, any county, or any city and county ~~having its~~  
8   ~~own plumbing code equal to the minimum standards provided in this~~  
9   ~~article, shall~~ THAT CONDUCTS INSPECTIONS AND ISSUES PERMITS, MUST be  
10   inspected by a state plumbing ~~inspector in those areas where a local~~  
11   ~~jurisdiction has requested such inspections~~ INSPECTOR. A state plumbing  
12   inspector shall inspect any new construction, remodeling, or repair subject  
13   to the provisions of this subsection (1) within three working days after the  
14   receipt of the application for inspection. ~~If the inspection is not performed~~  
15   ~~within five working days, work may resume on any such construction,~~  
16   ~~repair, or remodeling.~~ Prior to the commencement of any such plumbing  
17   or gas piping installation, the person making such installation shall ~~make~~  
18   ~~application~~ APPLY for ~~inspection~~ A PERMIT and pay the required fee.  
19   ~~therefor.~~ Every mobile home or movable structure owner shall have the  
20   plumbing and gas piping hookup for such mobile home or movable  
21   structure inspected prior to obtaining new or different plumbing or gas  
22   service.

23           (3) (a) All inspection permits issued by the board shall be ARE  
24   valid for a period of twelve months, and the board shall cancel the permit  
25   and remove it from its files at the end of the twelve-month period,  
26   MONTHS. THE BOARD SHALL CLOSE A PERMIT AND MARK ITS STATUS AS  
27   "EXPIRED" AT THE END OF THE TWELVE-MONTH RENEWAL PERIOD, except

1     in the following circumstances:

2             (8) IF AN INCORPORATED TOWN OR CITY, COUNTY, OR CITY AND  
3     COUNTY INTENDS TO COMMENCE OR CEASE PERFORMING PLUMBING  
4     INSPECTIONS IN ITS JURISDICTION, IT SHALL COMMENCE OR CEASE THE  
5     SAME ONLY AS OF JULY 1 OF ANY YEAR, AND WRITTEN NOTICE OF SUCH  
6     INTENT MUST BE GIVEN TO THE BOARD ON OR BEFORE OCTOBER 1 OF THE  
7     PRECEDING CALENDAR YEAR. IF SUCH NOTICE IS NOT GIVEN AND THE USE  
8     OF STATE PLUMBING INSPECTORS IS REQUIRED WITHIN THE JURISDICTION  
9     AFFECTED BY THE NOTICE REQUIREMENT, THE RESPECTIVE LOCAL  
10    GOVERNMENT OF THE JURISDICTION REQUIRING SUCH INSPECTIONS SHALL  
11    REIMBURSE THE BOARD FOR ANY EXPENSES INCURRED IN PERFORMING  
12    SUCH INSPECTIONS, IN ADDITION TO TRANSMITTING THE REQUIRED PERMIT  
13    FEES.

14            **SECTION 14.** In Colorado Revised Statutes, 12-58-115, **amend**  
15    (1) as follows:

16            **12-58-115. Municipal and county regulations.** (1) Any city,  
17    town, county, or city and county of this state may provide for the  
18    licensing of plumbing contractors. PLUMBING CONTRACTORS WHO OBTAIN  
19    LOCAL LICENSING MUST ALSO REGISTER WITH THE BOARD IN ACCORDANCE  
20    WITH SECTION 12-58-105 (3).

21            **SECTION 15. Safety clause.** The general assembly hereby finds,  
22    determines, and declares that this act is necessary for the immediate  
23    preservation of the public peace, health, and safety.