

SENATE COMMITTEE OF REFERENCE REPORT

	April 1, 2013
Chairman of Committee	Date

Committee on Business, Labor, & Technology.

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

SB13-162 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill page 2, line 12, strike "EXAMINING BOARD OF
2 PLUMBERS," and substitute "STATE PLUMBING BOARD,".

3 Page 2, strike lines 14 and 15 and substitute:

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

7 Page 2, after line 17 insert:

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

10 Page 2, strike lines 18 through 20.

11 Page 3, strike line 1.

12 Page 3, line 3, strike everything after "the" and substitute "board".

13 Page 3, after line 6 insert:

14 "(4.1) "COLORADO FUEL GAS CODE" MEANS A CODE ADOPTED BY
15 RULE BY THE BOARD FOR THE INSPECTION OF PLUMBING FUEL GAS PIPE

1 INSTALLATIONS.

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

12 (I) ~~The installation, extension, alteration, or maintenance,~~
13 ~~including the related water piping and the indirect waste piping~~
14 ~~therefrom, of domestic appliances equipped with backflow preventers,~~
15 ~~including lawn sprinkling systems, residential ice makers, humidifiers,~~
16 ~~electrostatic filter washers, water heating appliances, water conditioning~~
17 ~~appliances not directly connected to the sanitary sewer system, building~~
18 ~~heating appliances and systems, fire protection systems except for~~
19 ~~multipurpose residential fire sprinkler systems in one- and two-family~~
20 ~~dwellings and townhouses that are part of the potable water supply, air~~
21 ~~conditioning installations, process and industrial equipment and piping~~
22 ~~systems, or indirect drainage systems not a part of a sanitary sewer~~
23 ~~system; or~~

24 (II) ~~The repair and replacement of garbage disposal units and~~
25 ~~dishwashers directly connected to the sanitary sewer system, including the~~
26 ~~necessary replacement of all tail pipes and traps, or the repair,~~
27 ~~maintenance, and replacement of sinks, faucets, drains, showers, tubs, and~~
28 ~~toilets."~~

29 Page 3, line 7, after "**amend**" insert "(1), (3) (a), and".

30 Page 3, strike line 10 and substitute "(1) There is hereby established
31 within the division of professions and occupations of the department of
32 regulatory agencies the ~~examining board of plumbers~~. STATE PLUMBING
33 BOARD. The board shall exercise its powers and perform its duties and
34 functions in the department of regulatory agencies as if it were transferred
35 to the department by a **type 1** transfer, as such transfer is defined in the
36 "Administrative Organization Act of 1968", article 1 of title 24, C.R.S.

37 (3) (a) The governor, with power of removal, shall appoint the
38 members of the board, subject to confirmation by the senate. ~~except that~~
39 ~~the five members serving on June 30, 1982, shall continue to serve until~~

1 ~~the expiration of their respective terms of office. The governor shall~~
2 ~~appoint one additional member to serve until July 1, 1983, and another~~
3 ~~additional member to serve until July 1, 1986. Thereafter, members shall~~
4 ~~be~~ BOARD MEMBERS ARE appointed for four-year terms. Any vacancy
5 occurring in the membership of the board shall be filled by the governor
6 by appointment for the unexpired term of such member.
7 (5) This article is repealed, effective ~~July 1, 2013~~ SEPTEMBER 1,
8 2024."

9 Page 3, line 11, strike "examining board of plumbers" and substitute
10 "examining board of plumbers STATE PLUMBING BOARD".

11 Page 3, strike line 21 and substitute "governing the plumbing ~~drainage,~~
12 ~~sewerage, and plumbing ventilation~~ SYSTEMS of".

13 Page 3, line 22, strike everything after "state."

14 Page 3, strike lines 23 through 27.

15 Page 4, strike lines 1 through 20.

16 Page 4, line 21, after "Employ" insert "PLUMBERS LICENSED UNDER THIS
17 ARTICLE AS JOURNEYMAN OR MASTER PLUMBERS AS STATE PLUMBING".

18 Page 5, line 23, strike "**International plumbing code - statewide**" and
19 substitute "**Colorado plumbing code - amendments - variances**".

20 Page 5, line 24, strike "**applicability - local amendments**".

21 Page 6, after line 9 insert:

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

24 **12-58-107. License issuance - examination.** (1) (a) The board
25 shall issue licenses to persons who have by examination and experience
26 shown themselves competent and qualified to engage in the business,
27 trade, or calling of a residential plumber, journeyman plumber, or master
28 plumber. The board shall establish the minimum level of experience
29 required for an applicant to receive a residential, journeyman, or master
30 plumber's license. The maximum experience the board may require for an
31 applicant to qualify to ~~receive~~ TEST FOR a residential plumber's license is

1 ~~two years or three thousand four hundred hours of practical experience.~~
2 The maximum experience the board may require for an applicant to
3 qualify to ~~receive~~ TEST FOR a journeyman plumber's license is ~~four years~~
4 ~~or six thousand eight hundred hours of practical experience. An applicant~~
5 ~~for a master plumber's license shall furnish evidence that he has five years~~
6 ~~of practical experience.~~ THE MAXIMUM EXPERIENCE THE BOARD MAY
7 REQUIRE FOR AN APPLICANT TO TEST FOR A MASTER PLUMBER'S LICENSE
8 IS EIGHT THOUSAND FIVE HUNDRED HOURS OF PRACTICAL EXPERIENCE.

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

11 **12-58-107.5. Credit for experience received outside of**
12 **Colorado.** FOR ALL APPLICANTS SEEKING WORK EXPERIENCE CREDIT
13 TOWARD LICENSURE FOR PLUMBING WORK EXPERIENCE RECEIVED OUTSIDE
14 OF COLORADO, THE BOARD SHALL GIVE CREDIT FOR SUCH WORK
15 EXPERIENCE IF THE APPLICANT CAN SHOW TO THE SATISFACTION OF THE
16 BOARD THAT THE PARTICULAR EXPERIENCE IS ADEQUATE TO COMPLY WITH
17 THE REQUIREMENTS OF THIS ARTICLE.

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

20 **12-58-108. License renewal - reinstatement.** (1) All license
21 AND CONTRACTOR REGISTRATION renewal and renewal fees shall be in
22 accordance with the provisions of sections 24-34-102 and 24-34-105,
23 C.R.S.

24 (2) Any license OR CONTRACTOR REGISTRATION that has lapsed
25 shall be deemed to have expired. Prior to reinstatement, the board is
26 authorized to require the licensee to demonstrate competency. Licenses
27 shall be renewed or reinstated pursuant to a schedule established by the
28 director of the division of professions and occupations within the
29 department of regulatory agencies and pursuant to section 24-34-102 (8),
30 C.R.S. The director of the division of professions and occupations within
31 the department of regulatory agencies may establish renewal fees and
32 delinquency fees for reinstatement pursuant to section 24-34-105, C.R.S.
33 If a person fails to renew his or her license pursuant to the schedule
34 established by the director of the division of professions and occupations,
35 such license OR CONTRACTOR REGISTRATION shall expire. Any person
36 whose license OR CONTRACTOR REGISTRATION has expired shall be subject
37 to the penalties provided in this article or section 24-34-102 (8), C.R.S.

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

40 **12-58-110. Disciplinary action by board - licenses or**
41 **registrations denied, suspended, or revoked - cease-and-desist orders.**

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

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

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

10 **12-58-113. Exemptions.** (6) (a) NOTHING IN THIS ARTICLE
11 REQUIRES A PLUMBING LICENSE, CONTRACTOR REGISTRATION, OR PERMIT
12 TO PERFORM:

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

25 (II) THE REPAIR AND REPLACEMENT OF GARBAGE DISPOSAL UNITS
26 AND DISHWASHERS DIRECTLY CONNECTED TO THE SANITARY SEWER
27 SYSTEM, INCLUDING THE NECESSARY REPLACEMENT OF ALL TAIL PIPES
28 AND TRAPS, OR THE REPAIR, MAINTENANCE, AND REPLACEMENT OF SINKS,
29 FAUCETS, DRAINS, SHOWERS, TUBS, AND TOILETS.

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

32 (I) INSTALLATIONS, EXTENSIONS, IMPROVEMENTS, REMODELING,
33 ADDITIONS, AND ALTERATIONS IN WATER AND SEWER SYSTEMS OWNED OR
34 ACQUIRED BY COUNTIES PURSUANT TO ARTICLE 20 OF TITLE 30, C.R.S.,
35 CITIES AND TOWNS PURSUANT TO ARTICLE 35 OF TITLE 31, C.R.S., OR
36 WATER AND SANITATION DISTRICTS PURSUANT TO ARTICLE 1 OR ARTICLE
37 4 OF TITLE 32, C.R.S.;

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

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

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

7 **12-58-114.2. Plumbing inspectors - qualifications.** (1) The
8 director of the division of professions and occupations is authorized to
9 appoint or employ competent persons LICENSED UNDER THIS ARTICLE AS
10 JOURNEYMAN OR MASTER PLUMBERS as state plumbing inspectors.

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

20 (b) BEGINNING JULY 1, 2014, PERSONS LICENSED UNDER THIS
21 ARTICLE OR WHO ARE CERTIFIED AS A COMMERCIAL PLUMBING INSPECTOR
22 BY A NATIONALLY RECOGNIZED MODEL CODE ORGANIZATION ARE
23 AUTHORIZED TO INSPECT COMMERCIAL PLUMBING. ANY NEWLY HIRED
24 INSPECTORS NOT LICENSED UNDER THIS ARTICLE OR CERTIFIED BY A
25 NATIONALLY RECOGNIZED MODEL CODE ORGANIZATION HAVE ONE YEAR
26 FROM THE DATE OF HIRE TO ACQUIRE THE NECESSARY LICENSE OR
27 CERTIFICATION OR MEET THE HIRING REQUIREMENTS OF THE HIRING
28 AUTHORITY, WHICHEVER IS MORE STRINGENT.

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

31 **12-58-117. Apprentices.** (1) Any person may work as a
32 plumbing apprentice for a ~~licensed plumber~~ REGISTERED PLUMBING
33 CONTRACTOR but shall not do any plumbing work for which a license is
34 required pursuant to this article except under the supervision of a licensed
35 plumber. Supervision requires that ~~the~~ A licensed plumber supervise
36 apprentices at the jobsite. One licensed journeyman plumber, master
37 plumber, or residential plumber shall not supervise more than three
38 apprentice plumbers at the same jobsite."

39 Renumber succeeding sections accordingly.

1 Page 6, strike line 11 and substitute "(1) and (3) (a) introductory portion;
2 and **add** (8) as follows:".

3 Page 7, after line 4 insert:

4 "(3) (a) All inspection permits issued by the board ~~shall be~~ ARE
5 valid for a period of twelve months, ~~and the board shall cancel the permit~~
6 ~~and remove it from its files at the end of the twelve-month period,~~
7 MONTHS. THE BOARD SHALL CLOSE A PERMIT AND MARK ITS STATUS AS
8 "EXPIRED" AT THE END OF THE TWELVE-MONTH RENEWAL PERIOD, except
9 in the following circumstances:".

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