

2019

**Cocnernign the Continuation of the State Electrical Board, and, in Connection Therewith, Implementing the Recommendations Contained in the 2018 Sunset Report by the Department of Regulatory Agencies.**

Colorado General Assembly

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## CHAPTER 346

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**PROFESSIONS AND OCCUPATIONS**

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**SENATE BILL 19-156**

BY SENATOR(S) Rodriguez, Tate, Winter;  
also REPRESENTATIVE(S) Sullivan, Bird, Buentello.

**AN ACT**

**CONCERNING THE CONTINUATION OF THE STATE ELECTRICAL BOARD, AND, IN CONNECTION THEREWITH, IMPLEMENTING THE RECOMMENDATIONS CONTAINED IN THE 2018 SUNSET REPORT BY THE DEPARTMENT OF REGULATORY AGENCIES.**

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

**SECTION 1.** In Colorado Revised Statutes, 24-34-104, **repeal** (16)(a)(V); and **add** (33) as follows:

**24-34-104. General assembly review of regulatory agencies and functions for repeal, continuation, or reestablishment - legislative declaration - repeal.** (16) (a) The following agencies, functions, or both, will repeal on July 1, 2019:

(V) ~~The state electrical board created in article 23 of title 12, C.R.S.;~~

(33) (a) THE FOLLOWING AGENCIES, FUNCTIONS, OR BOTH, ARE SCHEDULED FOR REPEAL ON SEPTEMBER 1, 2032:

(I) THE STATE ELECTRICAL BOARD CREATED IN ARTICLE 23 OF TITLE 12.

(b) THIS SUBSECTION (33) IS REPEALED, EFFECTIVE SEPTEMBER 1, 2034.

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

**12-23-102.5. Repeal of article.** This ~~article~~ ARTICLE 23 is repealed, effective ~~July 1, 2019.~~ Prior to such SEPTEMBER 1, 2032. BEFORE THE repeal, the state electrical board, including provisions relating to qualified state institutions of higher education, ~~shall be reviewed as provided for in~~ IS SCHEDULED FOR REVIEW IN ACCORDANCE WITH section 24-34-104. ~~C.R.S.~~

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*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

**SECTION 3.** In Colorado Revised Statutes, 12-23-101, **amend** the introductory portion, (1.2), and (1.3); and **add** (1.1) and (6) as follows:

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

(1.1) "BOARD" MEANS THE STATE ELECTRICAL BOARD CREATED IN SECTION 12-23-102.

(1.2) ~~"Board" means the state electrical board~~ "DIRECT SUPERVISION" MEANS THAT THE SUPERVISING LICENSED MASTER ELECTRICIAN, JOURNEYMAN ELECTRICIAN, OR RESIDENTIAL WIREMAN IS PHYSICALLY PRESENT AT THE SAME PHYSICAL ADDRESS WHERE THE APPRENTICE IS WORKING.

(1.3) "Electric light, heat, and power" means the standard types of electricity that are supplied by an electric utility, regardless of whether the source is an electric utility or the inverter output circuit of a photovoltaic system, DIRECT-CURRENT LIGHTING SYSTEM, or a similar circuit from another type of renewable energy system OR ELECTRIC VEHICLE CHARGING INFRASTRUCTURE, and used and consumed in a real estate improvement or real estate fixture.

(6) "SUPERVISION" MEANS THE MANAGEMENT OF A PROJECT TO ENSURE THAT WORK ON THE PROJECT IS DONE CORRECTLY AND ACCORDING TO THE LAW.

**SECTION 4.** In Colorado Revised Statutes, 12-23-102, **amend** (1) introductory portion as follows:

**12-23-102. State electrical board.** (1) There is hereby established a state electrical board, which ~~shall consist~~ CONSISTS of nine members appointed by the governor, with the consent of the senate, who ~~shall~~ MUST be residents of the state of Colorado. THE GOVERNOR SHALL STRONGLY CONSIDER APPOINTING AN ELECTRICIAN WHO WORKS PRIMARILY IN THE RESIDENTIAL SECTOR TO AT LEAST ONE OF THE FOUR SEATS ALLOTTED TO MASTER OR JOURNEYMAN ELECTRICIANS PURSUANT TO SUBSECTION (1)(a) OR (1)(b) OF THIS SECTION. THE QUALIFICATIONS OF THE MEMBERS ARE AS FOLLOWS:

**SECTION 5.** In Colorado Revised Statutes, 12-23-106, **amend** (1)(b) as follows:

**12-23-106. License requirements - rules.** (1) **Master electrician.** (b) Each applicant for a license as a master electrician ~~shall~~ MUST file an application on forms prepared and furnished by the board, together with the application fee provided in section 12-23-112 (1). The board shall notify each applicant that the evidence submitted with the application is sufficient to qualify the applicant ~~to take the written examination~~ FOR LICENSURE or that the evidence is insufficient and the application is rejected. ~~In the event that~~ If the application is rejected, the board shall set forth the reasons for the rejection in the notice to the applicant.

**SECTION 6.** In Colorado Revised Statutes, 12-23-110.5, **amend** (1), (2), and (3)(b) as follows:

**12-23-110.5. Apprentices - supervision - registration - discipline.** (1) Any person may work as an apprentice but shall not do any electrical wiring for the installation of electrical apparatus or equipment for light, heat, or power except under the DIRECT supervision of a licensed electrician. ~~The degree of supervision required shall be no more than one~~ A licensed electrician ~~to~~ SHALL NOT DIRECTLY supervise ~~no more than three~~ apprentices at ~~the~~ A job site.

(2) ~~Any~~ AN electrical contractor, journeyman electrician, master electrician, or residential wireman who is the employer or DIRECT supervisor of any electrical apprentice working at the trade ~~shall be~~ IS responsible for the work performed by ~~such~~ THE apprentice. The board may take disciplinary action against ~~any such~~ THE contractor, ~~or any such~~ electrician, or residential wireman under ~~the provisions of~~ section 12-23-118 for any improper work performed by an electrical apprentice working at the trade ~~during the time of his employment~~ while EMPLOYED BY AND under the DIRECT supervision of ~~such~~ THAT person. The registration of ~~such~~ THE apprentice may also be subject to disciplinary action under ~~the provisions of~~ section 12-23-118.

(3) (b) ~~Such~~ AN apprentice ~~shall~~ MUST be under the DIRECT supervision of ~~either~~ a licensed electrician ~~or a residential wireman~~ as set forth in subsection (1) of this section.

**SECTION 7.** In Colorado Revised Statutes, 12-23-111, **amend** (3), (4), (17)(a) introductory portion, (17)(a)(II), and (20); **repeal** (14); and **add** (25) as follows:

**12-23-111. Exemptions.** (3) (a) Nothing in this ~~article shall be construed to require any~~ ARTICLE 23 REQUIRES a regular employee of ~~any~~ A firm or corporation to hold a license before doing any electrical work on the property of ~~such~~ THE firm or corporation, whether or not ~~such~~ THE property is owned, leased, or rented if:

(I) The firm or corporation employing ~~any~~ THE employee performing ~~such~~ THE work has ~~all such~~ THE electrical work installed in conformity with the minimum standards as set forth in this ~~article and all such~~ ARTICLE 23;

(II) THE work is subject to inspection by the board or its inspectors by request in writing in accordance with ~~subsection (14) of this section~~ SECTION 12-23-116; and if

(III) The property of ~~any such~~ THE firm or corporation is not generally open to the public.

(b) ~~No~~ NEITHER A license for ~~such~~ THE firm or corporation, nor AN inspection by the board or its inspectors, nor the payment of any fees thereon shall be required, with the exception of inspection by the board or its inspectors when performed by written request. Nothing contained in this ~~article shall be construed to require any~~ ARTICLE 23 REQUIRES a license, ~~any~~ AN inspection by the board or its inspectors, or the payment of any fees for any electrical work performed for THE maintenance OR repair ~~or alteration~~ of existing facilities ~~which shall be~~ THAT ARE exempt as provided in this section.

(4) If the property of any person, firm, or corporation is: Rental property or is

developed for sale, lease, or rental; ~~or is occupied or is to be occupied by tenants for lodging, either transient or permanent; or is generally open to the public, then such~~ THE property of any such person, firm, or corporation shall be IS subject to all the provisions of this article ARTICLE 23 pertaining to inspection and licensing; except for THAT the maintenance OR repair or alteration of existing facilities which shall be exempt as provided in this section PROPERTY SPECIFIED IN THIS SUBSECTION (4) IS NOT SUBJECT TO THIS ARTICLE 23.

(14) ~~Nothing in this article shall be construed to exempt any electrical work from inspection under the provisions of this article except that which is specifically exempted in this article, and nothing in this article shall be construed to exempt any electrical work from inspection by the board or its inspectors upon order of the board or from any required corrections connected therewith. However, no fees or charges may be charged for any such inspection except as set forth in this article, unless request for inspection has been made to the board or its inspectors in writing, in which case, unless otherwise covered in this article, the actual expenses of the board and its inspectors of the inspection involved shall be charged by and be paid to the board. The board is directed to make available and mail minimum standards pertaining to specific electrical installations on request and to charge a fee for the same, such fee not to exceed the actual cost involved, and in no case more than one dollar. Requests for copies of the national electrical code shall be filled when available, costs thereof not to exceed the actual cost to the board.~~

(17) (a) The permit and inspection provisions of this ~~article shall~~ ARTICLE 23 DO not apply to:

(II) Load control devices for electrical hot water heaters that are owned, leased, or otherwise under the control of, and are operated by, an electric utility, and are on the load side of the single-family residential meter, if ~~such~~ THE equipment was installed by a registered electrical contractor. The contractor will notify appropriate local authorities that the work has been completed in order that an inspection may be made at the expense of the utility company. ~~The applicable permit fee imposed by the local authorities shall not exceed ten dollars.~~

(20) (a) EXCEPT TO THE EXTENT THAT A COMMUNICATION SYSTEM'S CABLES AND SYSTEMS UTILIZED FOR CONVEYING POWER ARE HARD-WIRED INTO A BUILDING'S ELECTRICAL SYSTEM BUT SUBJECT TO SUBSECTION (25)(a) OF THIS SECTION, nothing in this ~~article~~ ARTICLE 23 shall be construed to cover the installation, maintenance, repair, or alteration of communications systems, including:

(I) Telephone and telegraph systems not exempted as utilities in subsection (1) of this section;

(II) Radio and television receiving and transmitting equipment and stations; and

(III) Antenna systems other than community antenna television systems beyond the terminals of the controllers.

(b) ~~Furthermore,~~ The contractors performing any installation, maintenance, repair, or alteration under this THE exemption or SPECIFIED IN THIS SUBSECTION (20) AND their employees ~~shall~~ ARE not be covered by the licensing requirements of this

~~article~~ ARTICLE 23.

(25) NOTHING IN THIS ARTICLE 23 APPLIES TO:

(a) (I) THE INSTALLATION, MAINTENANCE, REPAIR, OR ALTERATION OF CLASS 2 AND CLASS 3 REMOTE-CONTROL, SIGNALING, AND POWER-LIMITED CIRCUITS, AS DEFINED BY THE NATIONAL ELECTRICAL CODE; OR

(II) CONTRACTORS OR THEIR EMPLOYEES PERFORMING ANY INSTALLATION, MAINTENANCE, REPAIR, OR ALTERATION OF THE CIRCUITS SPECIFIED IN SUBSECTION (25)(a)(I) OF THIS SECTION; OR

(b) THE INSTALLATION, MAINTENANCE, REPAIR, OR ALTERATION OF TRAFFIC SIGNALS OR REQUIRES LICENSURE FOR THAT WORK.

**SECTION 8.** In Colorado Revised Statutes, 12-23-116, **amend** (10) as follows:

**12-23-116. Inspection - application - standard - rules.** (10) (a) An inspector performing an inspection for the state, an incorporated town or city, a county, a city and county, or a qualified state institution of higher education may verify compliance with this ~~article~~ ARTICLE 23; however, for each project, inspections performed by the state, an incorporated town or city, a county, a city and county, or a qualified state institution of higher education must include a contemporaneous review to ensure that the specific requirements of sections 12-23-105 and 12-23-110.5 have been met. A contemporaneous review may include a full or partial review of the electricians and apprentices working on a job site being inspected.

(b) To ensure that enforcement is consistent, timely, and efficient, each entity, including the state, as described in this subsection (10), shall develop standard procedures to advise its inspectors how to conduct a contemporaneous review. Each entity's standard procedures need not require a contemporaneous review for each and every inspection of a project, but the procedures must preserve an inspector's ability to verify compliance with sections 12-23-105 and 12-23-110.5 at any time. EACH ENTITY'S PROCEDURES MUST ALSO INCLUDE PROVISIONS THAT ALLOW FOR INSPECTORS TO CONDUCT OCCASIONAL, RANDOM, ON-SITE INSPECTIONS WHILE ACTUAL ELECTRICAL WORK IS BEING CONDUCTED, WITH A FOCUS ON LARGE COMMERCIAL AND MULTI-FAMILY RESIDENTIAL PROJECTS PERMITTED BY THE ENTITY. Each entity, including the state, shall post its current procedures regarding contemporaneous reviews in a prominent location on its public website. EACH ENTITY SHALL PROVIDE A WEBSITE LINK TO OR AN ELECTRONIC COPY OF ITS PROCEDURES TO THE BOARD, AND THE BOARD SHALL POST ALL OF THE PROCEDURES ON A SINGLE LOCATION ON THE DEPARTMENT OF REGULATORY AGENCIES' WEBSITE.

(c) An inspector may file a complaint with the board for any violation of this ~~article~~ ARTICLE 23.

(d) THE BOARD SHALL ENSURE COMPLIANCE WITH THIS SECTION. IF THE BOARD DETERMINES, AS A RESULT OF A COMPLAINT, THAT AN ENTITY OTHER THAN THE STATE IS CONDUCTING ELECTRICAL INSPECTIONS THAT DO NOT COMPLY WITH THIS SECTION, THE BOARD MAY ISSUE TO THAT ENTITY AN ORDER TO SHOW CAUSE, IN ACCORDANCE WITH SECTION 12-23-118 (9), AS TO WHY THE BOARD SHOULD NOT

ISSUE A FINAL ORDER DIRECTING THAT ENTITY TO CEASE AND DESIST CONDUCTING ELECTRICAL INSPECTIONS UNTIL THAT ENTITY COMES INTO COMPLIANCE TO THE SATISFACTION OF THE BOARD. IF THE USE OF STATE ELECTRICAL INSPECTORS IS REQUIRED AFTER THE ISSUANCE OF A FINAL CEASE-AND-DESIST ORDER PURSUANT TO THIS SUBSECTION (10)(d), THAT ENTITY SHALL REIMBURSE THE BOARD FOR ANY EXPENSES INCURRED IN PERFORMING THAT ENTITY'S INSPECTIONS, IN ADDITION TO TRANSMITTING THE REQUIRED PERMIT FEES.

**SECTION 9.** In Colorado Revised Statutes, 12-23-118, **amend** (1) introductory portion and (1)(j) as follows:

**12-23-118. Violations - citations - settlement agreements - hearings - fines.**

(1) The board may deny, suspend, revoke, refuse to renew, or issue a letter of admonition in regard to any license or registration issued or applied for under the provisions of this ~~article~~ ARTICLE 23, may place a licensee or registrant on probation, or may issue a citation to a licensee, registrant, or applicant for licensure for any of the following reasons:

(j) Failure of a master electrician who is charged with supervising all electrical work performed by a contractor pursuant to section 12-23-106 (5)(c) to adequately supervise ~~such~~ THE work or failure of any licensee to adequately DIRECTLY supervise an apprentice who is working at the trade pursuant to section 12-23-110.5;

**SECTION 10.** In Colorado Revised Statutes, 12-115-103, **amend as relocated by House Bill 19-1172** (3); and **add as relocated by House Bill 19-1172** (2.5) and (12) as follows:

**12-115-103. Definitions.** As used in this article 115, unless the context otherwise requires:

(2.5) "DIRECT SUPERVISION" MEANS THAT THE SUPERVISING LICENSED MASTER ELECTRICIAN, JOURNEYMAN ELECTRICIAN, OR RESIDENTIAL WIREMAN IS PHYSICALLY PRESENT AT THE SAME PHYSICAL ADDRESS WHERE THE APPRENTICE IS WORKING.

(3) "Electric light, heat, and power" means the standard types of electricity that are supplied by an electric utility, regardless of whether the source is an electric utility or the inverter output circuit of a photovoltaic system, DIRECT-CURRENT LIGHTING SYSTEM, or a similar circuit from another type of renewable energy system OR ELECTRIC VEHICLE CHARGING INFRASTRUCTURE, and used and consumed in a real estate improvement or real estate fixture.

(12) "SUPERVISION" MEANS THE MANAGEMENT OF A PROJECT TO ENSURE THAT WORK ON THE PROJECT IS DONE CORRECTLY AND ACCORDING TO THE LAW.

**SECTION 11.** In Colorado Revised Statutes, 12-115-104, **amend as relocated by House Bill 19-1172** (1) introductory portion as follows:

**12-115-104. State electrical board.** (1) There is hereby established a state electrical board, which ~~shall consist~~ CONSISTS of ~~the following~~ nine members appointed by the governor, with the consent of the senate, who ~~shall~~ MUST be residents of the state of Colorado. THE GOVERNOR SHALL STRONGLY CONSIDER

APPOINTING AN ELECTRICIAN WHO WORKS PRIMARILY IN THE RESIDENTIAL SECTOR TO AT LEAST ONE OF THE FOUR SEATS ALLOTTED TO MASTER OR JOURNEYMAN ELECTRICIANS PURSUANT TO SUBSECTION (1)(a) OR (1)(b) OF THIS SECTION. THE QUALIFICATIONS OF THE MEMBERS ARE AS FOLLOWS:

**SECTION 12.** In Colorado Revised Statutes, **amend as relocated by House Bill 19-1172** 12-115-105 as follows:

**12-115-105. Repeal of article.** This article 115 is repealed, effective ~~July 1, 2019~~ SEPTEMBER 1, 2032. Before the repeal, the state electrical board, including provisions relating to qualified state institutions of higher education, is scheduled for review in accordance with section 24-34-104.

**SECTION 13.** In Colorado Revised Statutes, 12-115-110, **amend as relocated by House Bill 19-1172** (1)(b) as follows:

**12-115-110. License requirements - rules - continuing education.** (1) **Master electrician.** (b) Each applicant for a license as a master electrician ~~shall~~ MUST file an application on forms prepared and furnished by the board, together with the application fee provided in section 12-115-117 (1). The board shall notify each applicant that the evidence submitted with the application is sufficient to qualify the applicant ~~to take the written examination FOR LICENSURE~~ or that the evidence is insufficient and the application is rejected. ~~In the event that~~ If the application is rejected, the board shall set forth the reasons for the rejection in the notice to the applicant.

**SECTION 14.** In Colorado Revised Statutes, 12-115-115, **amend as relocated by House Bill 19-1172** (1), (2), and (3)(b) as follows:

**12-115-115. Apprentices - supervision - registration - discipline.** (1) Any person may work as an apprentice but shall not do any electrical wiring for the installation of electrical apparatus or equipment for light, heat, or power except under the DIRECT supervision of a licensed electrician. ~~The degree of supervision required shall be no more than one~~ A licensed electrician ~~to~~ SHALL NOT DIRECTLY supervise ~~no~~ more than three apprentices at ~~the~~ A job site.

(2) ~~Any~~ AN electrical contractor, journeyman electrician, master electrician, or residential wireman who is the employer or DIRECT supervisor of any electrical apprentice working at the trade ~~shall be~~ is responsible for the work performed by the apprentice. The board may take disciplinary action against the contractor, electrician, or residential wireman under ~~the provisions of~~ section 12-115-122 for any improper work performed by an electrical apprentice working at the trade ~~during the time of his or her employment~~ while EMPLOYED BY AND under the DIRECT supervision of ~~the~~ THAT person. The registration of the apprentice may also be subject to disciplinary action under ~~the provisions of~~ section 12-115-122.

(3) (b) ~~The~~ AN apprentice ~~shall~~ MUST be under the DIRECT supervision of ~~either~~ a licensed electrician ~~or a residential wireman~~ as set forth in subsection (1) of this section.

**SECTION 15.** In Colorado Revised Statutes, 12-115-116, **amend as relocated**



by **House Bill 19-1172** (3), (4), (14)(a) introductory portion, (14)(a)(II), and (15)(c); **repeal as relocated by House Bill 19-1172** (11); and **add as relocated by House Bill 19-1172** (16) as follows:

**12-115-116. Exemptions - definition.** (3) (a) Nothing in this article 115 ~~shall be construed to require any~~ **REQUIRES A** regular employee of ~~any~~ **A** firm or corporation to hold a license before doing any electrical work on the property of the firm or corporation, whether or not the property is owned, leased, or rented if:

(I) The firm or corporation employing ~~any~~ **THE** employee performing the work has all ~~such~~ **THE** electrical work installed in conformity with the minimum standards as set forth in this article 115; ~~and all such~~

(II) ~~THE~~ work is subject to inspection by the board or its inspectors by request in writing in accordance with ~~subsection (11) of this section~~ **SECTION 12-115-120**; and if

(III) The property of ~~any such~~ **THE** firm or corporation is not generally open to the public.

(b) ~~No~~ **NEITHER A** license for the firm or corporation, nor ~~an~~ inspection by the board or its inspectors, nor the payment of any fees thereon shall be required, with the exception of inspection by the board or its inspectors when performed by written request. Nothing contained in this article 115 ~~shall be construed to require any~~ **REQUIRES A** license, ~~any~~ **AN** inspection by the board or its inspectors, or the payment of any fees for any electrical work performed for ~~the~~ maintenance or repair ~~or alteration~~ of existing facilities ~~which shall be~~ **THAT ARE** exempt as provided in this section.

(4) If the property of any person, firm, or corporation is: Rental property or is developed for sale, lease, or rental, ~~or is~~ occupied or is to be occupied by tenants for lodging, either transient or permanent; or ~~is~~ generally open to the public, ~~then~~ the property of ~~any such person, firm, or corporation shall be~~ **IS** subject to all the provisions of this article 115 pertaining to inspection and licensing; except ~~for that the maintenance or repair or alteration of existing facilities, which shall be exempt as provided in this section~~ **PROPERTY SPECIFIED IN THIS SUBSECTION (4) IS NOT SUBJECT TO THIS ARTICLE 115.**

(11) ~~Nothing in this article 115 shall be construed to exempt any electrical work from inspection under the provisions of this article 115 except that which is specifically exempted in this article 115, and nothing in this article 115 shall be construed to exempt any electrical work from inspection by the board or its inspectors upon order of the board or from any required corrections connected therewith. However, no fees or charges may be charged for any such inspection except as set forth in this article 115, unless request for inspection has been made to the board or its inspectors in writing, in which case, unless otherwise covered in this article 115, the actual expenses of the board and its inspectors of the inspection involved shall be charged by and be paid to the board. The board is directed to make available and mail minimum standards pertaining to specific electrical installations on request and to charge a fee for the same, the fee not to exceed the actual cost involved, and in no case more than one dollar. Requests for copies of the national~~

~~electrical code shall be filled when available, costs thereof not to exceed the actual cost to the board.~~

(14) (a) The permit and inspection provisions of this article 115 ~~shall~~ DO not apply to:

(II) Load control devices for electrical hot water heaters that are owned, leased, or otherwise under the control of, and are operated by, an electric utility, and are on the load side of the single-family residential meter, if the equipment was installed by a registered electrical contractor. The contractor will notify appropriate local authorities that the work has been completed in order that an inspection may be made at the expense of the utility company. ~~The applicable permit fee imposed by the local authorities shall not exceed ten dollars.~~

(15) Nothing in this article 115 shall be construed to:

(c) (I) EXCEPT TO THE EXTENT THAT A COMMUNICATION SYSTEM'S CABLES AND SYSTEMS UTILIZED FOR CONVEYING POWER ARE HARD-WIRED INTO A BUILDING'S ELECTRICAL SYSTEM BUT SUBJECT TO SUBSECTION (16)(a) OF THIS SECTION, cover the installation, maintenance, repair, or alteration of communications systems, including:

(A) Telephone and telegraph systems not exempted as utilities in subsection (1) of this section;

(B) Radio and television receiving and transmitting equipment and stations; and

(C) Antenna systems other than community antenna television systems beyond the terminals of the controllers.

(II) ~~Furthermore,~~ The contractors performing any installation, maintenance, repair, or alteration under ~~this~~ THE EXEMPTION OR SPECIFIED IN THIS SUBSECTION (15)(c) AND their employees ~~shall~~ ARE not be covered by the licensing requirements of this article 115.

(16) NOTHING IN THIS ARTICLE 115 APPLIES TO:

(a) (I) THE INSTALLATION, MAINTENANCE, REPAIR, OR ALTERATION OF CLASS 2 AND CLASS 3 REMOTE-CONTROL, SIGNALING, AND POWER-LIMITED CIRCUITS, AS DEFINED BY THE NATIONAL ELECTRICAL CODE; OR

(II) CONTRACTORS OR THEIR EMPLOYEES PERFORMING ANY INSTALLATION, MAINTENANCE, REPAIR, OR ALTERATION OF THE CIRCUITS SPECIFIED IN SUBSECTION (16)(a)(I) OF THIS SECTION; OR

(b) THE INSTALLATION, MAINTENANCE, REPAIR, OR ALTERATION OF TRAFFIC SIGNALS OR REQUIRES LICENSURE FOR THAT WORK.

**SECTION 16.** In Colorado Revised Statutes, 12-115-120, **amend as relocated by House Bill 19-1172** (10) as follows:

**12-115-120. Inspection - application - standard - rules.** (10) (a) An inspector performing an inspection for the state, an incorporated town or city, a county, a city and county, or a qualified state institution of higher education may verify compliance with this article 115; however, for each project, inspections performed by the state, an incorporated town or city, a county, a city and county, or a qualified state institution of higher education must include a contemporaneous review to ensure that the specific requirements of sections 12-115-109 and 12-115-115 have been met. A contemporaneous review may include a full or partial review of the electricians and apprentices working on a job site being inspected.

(b) To ensure that enforcement is consistent, timely, and efficient, each entity, including the state, as described in this subsection (10), shall develop standard procedures to advise its inspectors how to conduct a contemporaneous review. Each entity's standard procedures need not require a contemporaneous review for each and every inspection of a project, but the procedures must preserve an inspector's ability to verify compliance with sections 12-115-109 and 12-115-115 at any time. EACH ENTITY'S PROCEDURES MUST ALSO INCLUDE PROVISIONS THAT ALLOW FOR INSPECTORS TO CONDUCT OCCASIONAL, RANDOM, ON-SITE INSPECTIONS WHILE ACTUAL ELECTRICAL WORK IS BEING CONDUCTED, WITH A FOCUS ON LARGE COMMERCIAL AND MULTI-FAMILY RESIDENTIAL PROJECTS PERMITTED BY THE ENTITY. Each entity, including the state, shall post its current procedures regarding contemporaneous reviews in a prominent location on its public website. EACH ENTITY SHALL PROVIDE A WEBSITE LINK TO OR AN ELECTRONIC COPY OF ITS PROCEDURES TO THE BOARD, AND THE BOARD SHALL POST ALL OF THE PROCEDURES ON A SINGLE LOCATION ON THE DEPARTMENT'S WEBSITE.

(c) An inspector may file a complaint with the board for any violation of this article 115.

(d) THE BOARD SHALL ENSURE COMPLIANCE WITH THIS SECTION. IF THE BOARD DETERMINES, AS A RESULT OF A COMPLAINT, THAT AN ENTITY OTHER THAN THE STATE IS CONDUCTING ELECTRICAL INSPECTIONS THAT DO NOT COMPLY WITH THIS SECTION, THE BOARD MAY ISSUE TO THAT ENTITY AN ORDER TO SHOW CAUSE, IN ACCORDANCE WITH SECTIONS 12-20-405 AND 12-115-122 (6), AS TO WHY THE BOARD SHOULD NOT ISSUE A FINAL ORDER DIRECTING THAT ENTITY TO CEASE AND DESIST CONDUCTING ELECTRICAL INSPECTIONS UNTIL THAT ENTITY COMES INTO COMPLIANCE TO THE SATISFACTION OF THE BOARD. IF THE USE OF STATE ELECTRICAL INSPECTORS IS REQUIRED AFTER THE ISSUANCE OF A FINAL CEASE-AND-DESIST ORDER PURSUANT TO THIS SUBSECTION (10)(d), THAT ENTITY SHALL REIMBURSE THE BOARD FOR ANY EXPENSES INCURRED IN PERFORMING THAT ENTITY'S INSPECTIONS, IN ADDITION TO TRANSMITTING THE REQUIRED PERMIT FEES.

**SECTION 17.** In Colorado Revised Statutes, 12-115-122, **amend as relocated by House Bill 19-1172** (1)(j) as follows:

**12-115-122. Violations - citations - settlement agreements - hearings - fines - rules.** (1) The board may take disciplinary or other action as authorized by section 12-20-404 in regard to any license or registration issued or applied for under the provisions of this article 115 or may issue a citation to a licensee, registrant, or applicant for licensure for any of the following reasons:

(j) Failure of a master electrician who is charged with supervising all electrical work performed by a contractor pursuant to section 12-115-110 (5)(c) to adequately supervise the work or failure of any licensee to adequately DIRECTLY supervise an apprentice who is working at the trade pursuant to section 12-115-115;

**SECTION 18. Effective date - applicability.** (1) This act:

(a) Takes effect July 1, 2019; except that sections 10 through 17 of this act take effect only if House Bill 19-1172 becomes law, in which case sections 10 through 17 take effect October 1, 2019; and

(b) Applies to conduct occurring on or after the applicable effective date of this act.

**SECTION 19. 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: May 29, 2019