

ARTICLE ~~23~~ 115 ELECTRICIANS

- ~~12-23-100.2~~ *12-115-101.* Legislative declaration.
- 12-115-102.* Applicability of common provisions.
- ~~12-23-101~~ *12-115-103.* Definitions.
- ~~12-23-102~~ *12-115-104.* State electrical board.
- ~~12-23-102.5~~ *12-115-105.* Repeal of article.
- ~~12-23-103~~ *12-115-106.* Board under department of regulatory agencies.
- ~~12-23-104~~ *12-115-107.* Board powers and duties - rules - definition.
- ~~12-23-104.5~~ *12-115-108.* Program director.
- ~~12-23-105~~ *12-115-109.* Electrician must have license - control and supervision.
- ~~12-23-106~~ *12-115-110.* License requirements - rules - continuing education.
- ~~12-23-106.5~~ *12-115-111.* Credit for experience not subject to supervision of a licensed electrician.
- ~~12-23-107~~ *12-115-112.* Unauthorized use of title.
- ~~12-23-108.~~ License without written examination. (Repealed)
- ~~12-23-109~~ *12-115-113.* License by endorsement or reciprocity - rules.
- ~~12-23-110~~ *12-115-114.* Temporary permits.
- ~~12-23-110.5~~ *12-115-115.* Apprentices - supervision - registration - discipline.
- ~~12-23-111~~ *12-115-116.* Exemptions - definition.
- ~~12-23-112~~ *12-115-117.* Fees.
- ~~12-23-113.~~ Disposition of fees and expenses of board. <{*Repeal - total redundancy with a common provision*}>
- ~~12-23-114~~ *12-115-118.* Publications.
- ~~12-23-115~~ *12-115-119.* Inspectors - qualifications - repeal.
- ~~12-23-116~~ *12-115-120.* Inspection - application - standard - rules.
- ~~12-23-117~~ *12-115-121.* Permit fees.
- ~~12-23-118~~ *12-115-122.* Violations - citations - settlement agreements - hearings - fines - rules.
- ~~12-23-118.1.~~ Reapplication after revocation of licensure. <{*Repeal - total redundancy with a common provision*}>
- ~~12-23-118.2.~~ Reconsideration and review of board action. (Repealed)
- ~~12-23-118.3.~~ Immunity. <{*Repeal - total redundancy with a common provision*}>

~~12-23-119~~ *12-115-123.* Unauthorized practice - penalties.

~~12-23-120~~ *12-115-124.* Judicial review.

1 **12-115-101. [Formerly 12-23-100.2] Legislative declaration.** The general assembly
2 hereby declares that the state electrical board shall be specifically involved in the testing and
3 licensing of electricians and shall provide for inspections of electrical installations where
4 local inspection authorities are not providing ~~such~~ THE service to the standards required by
5 this article *115*.

6
7 **12-115-102. Applicability of common provisions.** ARTICLES 1 AND 20 OF THIS TITLE
8 12 APPLY, ACCORDING TO THEIR TERMS, TO THIS ARTICLE 115.
9

10 **12-115-103. [Formerly 12-23-101] Definitions.** As used in this article *115*, unless
11 the context otherwise requires:

12 (1) "Apprentice" means a person who is required to be registered as such under
13 section ~~12-23-110.5(3)(a)~~ *12-115-115 (3)(a)*, who is in compliance with the provisions of
14 this article *115*, and who is working at the trade in the employment of a registered electrical
15 contractor and is under the direct supervision of a licensed master electrician, journeyman
16 electrician, or residential wireman.

17 ~~(1.2)~~ (2) "Board" means the state electrical board CREATED IN SECTION 12-115-104.

18 ~~(1.3)~~ (3) "Electric light, heat, and power" means the standard types of electricity that
19 are supplied by an electric utility, regardless of whether the source is an electric utility or the
20 inverter output circuit of a photovoltaic system or a similar circuit from another type of
21 renewable energy system, and used and consumed in a real estate improvement or real estate
22 fixture.

23 ~~(1.5)~~ (4) "Electrical contractor" means any person, firm, copartnership, corporation,
24 association, or combination thereof ~~who~~ THAT undertakes or offers to undertake for another
25 the planning, laying out, supervising, and installing or the making of additions, alterations,
26 and repairs in the installation of wiring apparatus and equipment for electric light, heat, and
27 power. A licensed professional engineer who plans or designs electrical installation shall not
28 be classed as an electrical contractor.

29 ~~(1.7)~~ (5) "Electrical work" means wiring for, installing, and repairing electrical
30 apparatus and equipment for electric light, heat, and power.

31 ~~(2)~~ (6) "Journeyman electrician" means a person having the necessary qualifications,
32 training, experience, and technical knowledge to wire for, install, and repair electrical
33 apparatus and equipment for electric light, heat, and power, and for other purposes, in
34 accordance with standard rules governing ~~such~~ THE work.

35 ~~(3)~~ (7) "Master electrician" means a person having the necessary qualifications,

1 training, experience, and technical knowledge to properly plan, lay out, and supervise the
2 installation and repair of wiring apparatus and equipment for electric light, heat, and power,
3 and for other purposes, in accordance with standard rules governing ~~such~~ THE work, such as
4 the national electrical code.

5 ~~(3.2)~~ (8) "National electrical code" means the code for the safe installation of
6 electrical wiring and equipment, as amended, published by the National Fire Protection
7 Association and approved by the American National Standards Institute, or successor
8 organizations.

9 ~~(3.5)~~ (9) "Permanent state highway tunnel facilities" means all permanent state
10 highway tunnels, shafts, ventilation systems, and structures and includes all structures,
11 materials, and equipment appurtenant to ~~such~~ THE facilities. ~~Said~~ THE term includes all
12 electrical equipment, materials, and systems to be constructed, furnished, and installed as part
13 of the final construction features specified by the applicable contract plans and specifications
14 or by the national electrical code. For the purposes of this article **115** and article 20 of title
15 34, ~~C.R.S., such~~ PERMANENT state highway tunnel facilities shall be deemed to be mines
16 during the construction of ~~such~~ THE facilities.

17 ~~(3.7)~~ (10) "Qualified state institution of higher education" means:

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

21 (b) The institution whose campus is established under and specified in section
22 23-20-101 (1)(b), ~~C.R.S.,~~ but limited to the buildings located in Denver at 1380 Lawrence
23 street, 1250 Fourteenth street, and 1475 Lawrence street; and

24 (c) The institution whose campus is established under and specified in section
25 23-20-101 (1)(d), ~~C.R.S.,~~ but limited to current and future buildings owned, leased, or built
26 on land owned on or before January 1, 2015, by the university of Colorado on the campus
27 described in section 23-20-101 (1)(d). ~~C.R.S.~~

28 ~~(4)~~ (11) "Residential wireman" means a person having the necessary qualifications,
29 training, experience, and technical knowledge to wire for, and install, electrical apparatus and
30 equipment for wiring one-, two-, three-, and four-family dwellings.

31 ~~(5) Repeated.~~

32
33 **12-115-104. [Formerly 12-23-102] State electrical board.** (1) There is hereby
34 established a state electrical board, which shall consist of THE FOLLOWING nine members
35 appointed by the governor, with the consent of the senate, who shall be residents of the state
36 of Colorado:

37 (a) Two members shall be electrical contractors who have masters' licenses;

38 (b) Two members shall be master or journeymen electricians who are not electrical

1 contractors;

2 (c) One member shall be a representative of private, municipal, or cooperative electric
3 utilities rendering electric service to the ultimate public;

4 (d) One member shall be a building official from a political subdivision of the state
5 performing electrical inspections;

6 (e) One member shall be a general contractor actively engaged in the building
7 industry; and

8 (f) Two members shall be appointed from the public at large.

9 (2) All members of the board shall serve for three-year terms and all appointees shall
10 be limited to two full terms each. Any vacancy occurring in the membership of the board
11 shall be filled by the governor by appointment for the unexpired term of the member. The
12 governor may remove any member of the board for misconduct, incompetence, or neglect of
13 duty.
14

15 **12-115-105. [Formerly 12-23-102.5] Repeal of article.** This article ~~115~~ is repealed,
16 effective July 1, 2019. ~~Prior to such~~ BEFORE ITS repeal, the state electrical board, including
17 provisions relating to qualified state institutions of higher education, ~~shall be reviewed as~~
18 ~~provided for~~ IS SCHEDULED FOR REVIEW IN ACCORDANCE WITH section 24-34-104. C.R.S.
19

20 **12-115-106. [Formerly 12-23-103] Board under department of regulatory**
21 **agencies.** The state electrical board ~~and~~ EXERCISES its powers, duties, and functions ~~are~~
22 ~~transferred, effective July 1, 1978, by~~ IN THE DEPARTMENT AS a **type 1 transfer**, as such
23 ~~transfer is defined in the "Administrative Organization Act of 1968", article 1 of title 24,~~
24 ~~C.R.S., to the department of regulatory agencies and allocated to the division of professions~~
25 ~~and occupations~~ ENTITY, AS DEFINED IN SECTION 24-1-105.
26

27 **12-115-107. [Formerly 12-23-104] Board powers and duties - rules - definition.**
28 (1) (a) The board, annually in the month of July, shall elect from its membership a chair and
29 vice-chair. The board shall meet at least annually and at such other times as it deems
30 necessary.

31 (b) A majority of the board shall constitute a quorum for the transaction of all
32 business.

33 (2) In addition to all other powers and duties conferred or imposed upon the board
34 by this article ~~115~~, the board is authorized to:

35 (a) Adopt, and from time to time revise, ~~such rules and regulations not inconsistent~~
36 ~~with the law as may be necessary to enable it to carry into effect the provisions of this article~~
37 PURSUANT TO SECTION 12-20-204. In adopting ~~such~~ THE rules, ~~and regulations~~, the board
38 shall be governed when appropriate by the standards in the most current edition of the

1 national electrical code or by any modifications to ~~such~~ THE standards made by the board
2 after a hearing is held pursuant to the provisions of article 4 of title 24. C.R.S. These
3 standards are adopted as the minimum standards governing the planning, laying out, and
4 installing or the making of additions, alterations, and repairs in the installation of wiring
5 apparatus and equipment for electric light, heat, and power in this state. A copy of ~~such~~ THE
6 code shall be kept in the office of the board and open to public inspection. Nothing contained
7 in this section prohibits any city, town, county, city and county, or qualified state institution
8 of higher education from making and enforcing any such standards that are more stringent
9 than the minimum standards adopted by the board, and any city, town, county, city and
10 county, or qualified state institution of higher education that adopts ~~such~~ more stringent
11 standards shall furnish a copy thereof to the board. The standards adopted by the board shall
12 be prima facie evidence of minimum approved methods of construction for safety to life and
13 property. The affirmative vote of two-thirds of all appointed members of the board is
14 required to set any standards that are different from those set forth in the national electrical
15 code. If requested in writing, the board shall send a copy of newly adopted standards and
16 rules ~~and regulations~~ to any interested party at least thirty days before the implementation and
17 enforcement of ~~such~~ THE standards or rules. ~~and regulations. Such~~ THE copies may be
18 furnished for a fee established pursuant to section 24-34-105. C.R.S. <{Redundant with
19 rule-making common provision, 12-20-204. Recommend amending as indicated.}>

20 (b) ~~Repeated.~~

21 (c) (b) Register apprentices and register and renew the registration of qualified
22 electrical contractors and examine, license, and renew licenses of journeymen electricians,
23 master electricians, and residential wiremen as provided in this article *115*;

24 (d) (f) ~~Administer oaths, take affirmations of witnesses, and issue subpoenas to~~
25 ~~compel the attendance of witnesses and the production of all relevant papers, books, records,~~
26 ~~documentary evidence, and materials in any hearing, investigation, accusation, or other~~
27 ~~matter coming before the board. The board may appoint an administrative law judge pursuant~~
28 ~~to part 10 of article 30 of title 24, C.R.S., to take evidence and to make findings and report~~
29 ~~them to the board.~~

30 (H) ~~Upon failure of any witness to comply with such subpoena or process, the district~~
31 ~~court of the county in which the subpoenaed person or licensee resides or conducts business,~~
32 ~~upon application by the board or director with notice to the subpoenaed person or licensee,~~
33 ~~may issue to the person or licensee an order requiring that person or licensee to appear before~~
34 ~~the commission or director, to produce the relevant papers, books, records, documentary~~
35 ~~evidence, or materials if so ordered; or to give evidence touching the matter under~~
36 ~~investigation or in question. Failure to obey the order of the court may be punished by the~~
37 ~~court as a contempt of court. <{Redundant with subpoena powers common provision,~~
38 12-20-403 (2). Recommend repeal of (2)(d).}>

(e) (c) Cause the prosecution and enjoinder, IN ACCORDANCE WITH SECTION 12-20-406, in any court of competent jurisdiction, of all persons violating this article 115 and incur necessary expenses therefor. When seeking an injunction, the board shall not be required to prove that an adequate remedy at law does not exist or that substantial or irreparable damages would result if an injunction is not granted. <{*Redundant with injunction common provision, 12-20-406. Recommend amending (2)(c).*}>

(f) (d) Inspect and approve or disapprove the installation of electrical wiring, renewable energy systems, apparatus, or equipment for electric light, heat, and power according to the minimum standards in the national electrical code or as prescribed in this article 115. With respect to:

(I) An inverter-based hydroelectric energy facility generating one hundred kilowatts or less, regardless of whether the facility is connected to utility or other distribution lines, an inspector shall inspect a hydroelectric energy installation in accordance with the minimum standards set forth in the edition of the national electrical code in effect on May 29, 2015; however, if a microhydro assembly manufactured for the purpose of generating electricity in a microhydro system uses an inverter that is listed and identified for interconnection service, the inspector shall deem the system's equipment compliant with section 705.4 of the edition of the national electrical code in effect on May 29, 2015. For purposes of this paragraph (f) SUBSECTION (2)(c), a "microhydro system" means a hydroelectric generation system that generates one hundred kilowatts or less.

(II) An induction-based hydroelectric energy facility generating one hundred kilowatts or less, regardless of whether the facility is connected to utility or other distribution lines, the installation of a hydroelectric energy turbine, induction generator, and control panel shall be certified:

(A) To a listing standard by a field evaluation body or nationally recognized testing laboratory; or

(B) By a professional engineer, by means of signing and stamping documentation of the project, as required in a form and manner determined by the board, indicating that the installation meets design criteria set forth in the Institute of Electrical and Electronics Engineers' (IEEE) standard for interconnecting distributed resources with electric power systems.

(f.3) (e) Apply any hydroelectric energy provisions of an updated national electrical code, notwithstanding any provision in paragraph (f) SUBSECTION (2)(d) OF THIS SECTION to the contrary, if the national electrical code is updated to address hydroelectric energy specifically.

(f.5) (f) Regulate a licensed master electrician, journeyman electrician, or residential wireman who, acting within his or her scope of competence, supervises a solar photovoltaic installation pursuant to section 40-2-128; ~~C.R.S.~~;

(g) Review and approve or disapprove requests for exceptions to the national electrical code in unique construction situations where a strict interpretation of the code would result in unreasonable operational conditions or unreasonable economic burdens, as long as public safety is not compromised;

(h) Conduct INVESTIGATIONS AND hearings AND GATHER EVIDENCE in accordance with the provisions of ~~section~~ SECTIONS **12-20-403** AND 24-4-105; ~~C.R.S.; except that the board may appoint an administrative law judge pursuant to part 10 of article 30 of title 24 C.R.S., to conduct such hearings;~~ <{Redundant with disciplinary procedures common provision, 12-20-403. Recommend amending (2)(h).}>

~~(i) Repealed.~~

~~(j)~~ (i) Enter into reciprocal licensing agreements with the electrical board, or its equivalent, of another state or states where the qualifications for electrical licensing are substantially equivalent to licensure requirements in Colorado;

~~(k)~~ (j) Find, upon holding a hearing, that an incorporated town or city, county, city and county, or qualified state institution of higher education fails to meet the minimum requirements of this article **115** if the local inspection authority, including a qualified state institution of higher education, has failed to adopt or adhere to the minimum standards required by this article **115** within twelve months after the board has adopted the standards by rule pursuant to this subsection (2);

~~(l)~~ (k) Issue an order to cease and desist from issuing permits or performing inspections under this article **115** to an incorporated town or city, county, city and county, or qualified state institution of higher education upon finding that the public entity or qualified state institution of higher education fails to meet the minimum requirements of this article **115** pursuant to ~~paragraph (k) of this subsection~~ SUBSECTION **(2)(j)** OF THIS SECTION;

~~(m)~~ (l) Apply to a court to enjoin an incorporated town or city, county, city and county, or qualified state institution of higher education from violating an order issued pursuant to ~~paragraph (l) of this subsection~~ SUBSECTION **(2)(k)** OF THIS SECTION.

12-115-108. [Formerly 12-23-104.5] Program director. The director ~~of the division of professions and occupations~~ may appoint a program director pursuant to section 13 of article XII of the state constitution to work with the board in carrying out its duties under this article **115**.

12-115-109. [Formerly 12-23-105] Electrician must have license - control and supervision. (1) No person shall engage in or work at the business, trade, or calling of a journeyman electrician, master electrician, or residential wireman in this state until the person has received a license from the division ~~of professions and occupations~~ upon written notice from the board or the program director, acting as the agent thereof, or a temporary permit

1 from the board, the program director, or agent of the director.

2 (2) A residential wireman shall not perform electrical work of a type ~~which~~ THAT is
3 beyond the authorization of the license held.

4
5 **12-115-110. [Formerly 12-23-106] License requirements - rules - continuing**
6 **education.** (1) **Master electrician.** (a) An applicant for a master electrician's license shall
7 furnish written evidence that:

8 (I) The applicant is a graduate electrical engineer of an accredited college or
9 university and has one year of practical electrical experience in the construction industry;

10 (II) The applicant is a graduate of an electrical trade school or community college and
11 has at least four years of practical experience in electrical work; or

12 (III) The applicant has had at least one year of practical experience in planning, laying
13 out, supervising, and installing wiring, apparatus, or equipment for electric light, heat, and
14 power beyond the practical experience requirements for the journeyman's license.

15 (b) Each applicant for a license as a master electrician shall file an application on
16 forms prepared and furnished by the board, together with the application fee provided in
17 section ~~12-23-112~~ **(1) 12-115-117**. The board shall notify each applicant that the evidence
18 submitted with the application is sufficient to qualify the applicant to take the written
19 examination or that the evidence is insufficient and the application is rejected. In the event
20 that the application is rejected, the board shall set forth the reasons for the rejection in the
21 notice to the applicant.

22 (2) **Journeyman electrician.** (a) An applicant for a journeyman electrician's license
23 shall furnish written evidence that the applicant has had the following:

24 (I) At least four years' apprenticeship in the electrical trade or four years' practical
25 experience in wiring for, installing, and repairing electrical apparatus and equipment for
26 electric light, heat, and power;

27 (II) At least two of the applicant's years' experience required by ~~subparagraph (I) of~~
28 ~~this paragraph (a)~~ **SUBSECTION (2)(a)(I) OF THIS SECTION** has been in commercial, industrial,
29 or substantially similar work; and

30 (III) Effective January 1, 2011, during the last four years of training, apprenticeship,
31 or practical experience in wiring for, installing, and repairing electrical apparatus and
32 equipment for electric light, heat, and power, at least two hundred eighty-eight hours of
33 training in safety, the national electrical code and its applications, and any other training
34 required by the board that is provided by an accredited college or university, an established
35 industry training program, or any other provider whose training is conducted in compliance
36 with rules promulgated by the board, in collaboration with established industry training
37 programs and industry representatives.

38 (b) ~~Any~~ **AN** applicant ~~for such license~~ shall be permitted to substitute for required

1 practical experience evidence of academic training or practical experience in the electrical
2 field, which shall be credited as follows:

3 (I) If the applicant is a graduate electrical engineer of an accredited college or
4 university or the graduate of a community college or trade school program approved by the
5 board, the applicant shall receive one year of work experience credit.

6 (II) If the applicant has academic training, including military training, that does not
7 qualify under ~~subparagraph (I) of this paragraph (b)~~ SUBSECTION (2)(b)(I) OF THIS SECTION,
8 the board shall provide work experience credit for ~~such~~ THE training or for substantially
9 similar training established by rule.

10 (c) Any application for a license and notice to the applicant shall be made and given
11 as provided for in the case of a master electrician's license.

12 (3) **Residential wireman.** (a) An applicant for a residential wireman's license shall
13 furnish written evidence that the applicant has at least two years of accredited training or two
14 years of practical experience in wiring one-, two-, three-, and four-family dwellings.

15 (b) ~~Any AN applicant for such license~~ shall be permitted to substitute for required
16 practical experience evidence of academic training in the electrical field which shall be
17 credited as follows:

18 (I) If the applicant is a graduate electrical engineer of an accredited college or
19 university or the graduate of a community college or trade school program approved by the
20 board, the applicant shall receive one year of work experience credit.

21 (II) If the applicant has academic training, including military training, ~~which~~ THAT
22 is not sufficient to qualify under ~~subparagraph (I) of this paragraph (b)~~ SUBSECTION (3)(b)(I)
23 OF THIS SECTION, the board shall provide work experience credit for ~~such~~ THE training
24 according to a uniform ratio established by rule.

25 (c) Any residential wireman's license issued under this section shall be clearly marked
26 as such across its face.

27 (4) (a) The board shall provide for licensing examinations. Any examination that is
28 given for master electricians, journeymen electricians, and residential wiremen shall be
29 subject to board approval. The board, or its designee, shall conduct and grade the
30 examination and shall set the passing score to reflect a minimum level of competency. If it
31 is determined that the applicant has passed the examination, the division, ~~of professions and~~
32 ~~occupations~~, upon written notice from the board or the program director, acting as an agent
33 thereof, and upon payment by the applicant of the fee provided in section ~~12-23-112~~
34 **12-115-117**, shall issue to the applicant a license that authorizes him or her to engage in the
35 business, trade, or calling of a master electrician, journeyman electrician, or residential
36 wireman.

37 (b) All license and registration expiration and renewal schedules shall be in accord
38 with the provisions of section ~~24-34-102, C.R.S.~~ **12-20-202**. Fees in regard to such renewals

1 shall be those set forth in section ~~12-23-112~~ **12-20-117**.

2 (c) Licenses shall be renewed or reinstated pursuant to, ~~a schedule established by the~~
3 ~~director of the division of professions and occupations within the department of regulatory~~
4 ~~agencies and shall be renewed or reinstated pursuant to section 24-34-102 (8). C.R.S. The~~
5 ~~director of the division of professions and occupations within the department of regulatory~~
6 ~~agencies may establish renewal fees and delinquency fees for reinstatement pursuant to~~
7 ~~section 24-34-105. C.R.S. If a person fails to renew his or her license pursuant to the~~
8 ~~schedule established by the director of the division of professions and occupations, such~~
9 ~~license shall expire~~ AND ARE SUBJECT TO THE RENEWAL, EXPIRATION, REINSTATEMENT, AND
10 DELINQUENCY FEE PROVISIONS SPECIFIED IN, SECTION 12-20-202 (1) AND (2). Any person
11 whose license has expired shall be subject to the penalties provided in this article or section
12 ~~24-34-102 (8), C.R.S. 12-20-202 (1).~~ <*{Redundant with reinstatement/renewal/fees*
13 *common provision, 12-20-202. Recommend amendment as indicated.*>

14 (d) ~~(f)~~ Repealed.

15 ~~(H)~~ (I) (A) Except as otherwise provided in subsection ~~(4)(d)(H)(B)~~ **(4)(d)(I)(B)** of
16 this section, on or after January 1, 2018, the department shall not renew or reinstate a license
17 unless the applicant has completed twenty-four hours of continuing education since the date
18 of issuance of the applicant's initial license or, if the applicant's license was renewed or
19 reinstated, the most recent renewal or reinstatement.

20 (B) Subsection ~~(4)(d)(H)(A)~~ **(4)(d)(I)(A)** of this section does not apply to the first
21 renewal or reinstatement of a license for which, as a condition of issuance, the applicant
22 successfully completed a licensing examination pursuant to subsection (4)(a) of this section.

23 ~~(HH)~~ (II) On or before April 1, 2017, the board, in collaboration with established
24 industry training programs and industry representatives, shall adopt rules establishing
25 continuing education requirements and standards, which requirements and standards must
26 include course work related to the national electrical code, including core competencies as
27 determined by the board. A renewal or reinstatement license applicant shall furnish or cause
28 to be furnished to the board, in a form and manner required by the board, documentation to
29 demonstrate compliance with this ~~subparagraph~~ ~~(HH)~~ SUBSECTION (4)(d)(II) and rules
30 promulgated pursuant to this ~~subparagraph~~ ~~(HH)~~ SUBSECTION (4)(d)(II). To ensure consumer
31 protection, the board's rules may include audit standards for licensee compliance with
32 continuing education requirements and requirements pertaining to the testing of licensees by
33 the continuing education vendor.

34 (5) (a) No person, firm, copartnership, association, or combination thereof shall
35 engage in the business of an electrical contractor without having first registered with the
36 board. The board shall register ~~such~~ THE contractor upon payment of the fee as provided in
37 section ~~12-23-112~~ **12-115-117**, presentation of evidence that the applicant has complied with
38 the applicable workers' compensation and unemployment compensation laws of this state,

1 and satisfaction of the requirements of ~~paragraph (b) or (c) of this subsection~~ SUBSECTION
2 **(5)(b)** OR **(5)(c)** OF THIS SECTION.

3 (b) If either the owner or the part owner of any firm, copartnership, corporation,
4 association, or combination thereof has been issued a master electrician's license by the
5 division of ~~professions and occupations~~ and is in charge of the supervision of all electrical
6 work performed by ~~such~~ THE contractor, upon written notice from the board or the program
7 director, acting as the agent thereof, the division shall promptly, upon payment of the fee as
8 provided in section ~~12-23-112~~ **12-115-117**, register ~~such~~ THE licensee as an electrical
9 contractor.

10 (c) If any person, firm, copartnership, corporation, association, or combination
11 thereof engages in the business of an electrical contractor and does not comply with
12 ~~paragraph (b) of this subsection~~ SUBSECTION **(5)(b)** OF THIS SECTION, it shall employ at least
13 one licensed master electrician, who shall be in charge of the supervision of all electrical
14 work performed by ~~such~~ THE contractor.

15 (d) No holder of a master's license shall be named as the master electrician, under
16 ~~paragraphs (b) and (c) of this subsection~~ SUBSECTION **(5)(b)** OR **(5)(c)** OF THIS SECTION, for
17 more than one contractor, and a master name shall be actively engaged in a full-time capacity
18 with that contracting company. The qualifying master license holder shall be required to
19 notify the board within fifteen days after his or her termination as a qualifying master license
20 holder. The master license holder is responsible for all electrical work performed by the
21 electrical contracting company. Failure to comply with a notification may lead to discipline
22 of the master license holder as provided in section ~~12-23-118~~ **12-115-122**.

23
24 **12-115-111. [Formerly 12-23-106.5] Credit for experience not subject to**
25 **supervision of a licensed electrician.** For all applicants seeking work experience credit
26 toward licensure, the board shall give credit for electrical work that is not required to be
27 performed by or under the supervision of a licensed electrician if the applicant can show that
28 the particular experience received or the supervision under which the work has been
29 performed is adequate.

30
31 **12-115-112. [Formerly 12-23-107] Unauthorized use of title.** No person, firm,
32 partnership, corporation, or association shall advertise in any manner or use the title or
33 designation of master electrician, journeyman electrician, or residential wireman unless
34 qualified and licensed under this article **115**.

35 .
36 **~~12-23-108. License without written examination. (Repealed)~~**

37
38 **12-115-113. [Formerly 12-23-109] License by endorsement or reciprocity - rules.**

1 (1) The board shall issue an electrical license by endorsement in this state to any person who
2 is licensed to practice in another jurisdiction if ~~such~~ THE person presents proof satisfactory
3 to the board that, at the time of application for a Colorado license by endorsement, the person
4 possesses credentials and qualifications that are substantially equivalent to requirements in
5 Colorado for licensure.

6 (2) The board shall issue an electrical license by reciprocity where a reciprocal
7 agreement for an equivalent license exists, pursuant to section ~~12-23-104(2)(j)~~ **12-115-107**
8 **(2)(i)**, between the board and the electrical board, or its equivalent, of the state or states
9 where the applicant is licensed. The board shall strive to reduce barriers for Colorado
10 licensees to be licensed by endorsement or through reciprocity in other states.

11 (3) The board may specify by rule what shall constitute substantially equivalent
12 credentials and qualifications.

13
14 **12-115-114. [Formerly 12-23-110] Temporary permits.** The board or the program
15 director or the director's agent, as provided in the rules promulgated by the board, shall issue
16 temporary permits to engage in the work of a master electrician in cases where an electrical
17 contractor no longer has the services of any master electrician as required under this article
18 **115** and shall issue temporary permits to engage in the work of a journeyman electrician or
19 residential wireman to any applicant who furnishes evidence satisfactory to the board that the
20 applicant has the required experience to qualify for the examination provided in this article
21 **115** and who pays the fee provided in section ~~12-23-112~~ **12-115-117** for ~~such~~ THE permits.
22 In addition, and in a similar manner, the board or the program director or the director's agent
23 shall issue temporary permits to any applicant who furnishes evidence satisfactory to the
24 board that the applicant qualifies for a master electrician's license and who pays the required
25 fee. Temporary permits shall continue in effect for no more than thirty days after issuance
26 and may be revoked by the board at any time.

27
28 **12-115-115. [Formerly 12-23-110.5] Apprentices - supervision - registration -**
29 **discipline.** (1) Any person may work as an apprentice but shall not do any electrical wiring
30 for the installation of electrical apparatus or equipment for light, heat, or power except under
31 the supervision of a licensed electrician. The degree of supervision required shall be no more
32 than one licensed electrician to supervise no more than three apprentices at the job site.

33 (2) Any electrical contractor, journeyman electrician, master electrician, or residential
34 wireman who is the employer or supervisor of any electrical apprentice working at the trade
35 shall be responsible for the work performed by ~~such~~ THE apprentice. The board may take
36 disciplinary action against ~~any such~~ THE contractor, ~~or any such~~ electrician, or residential
37 wireman under the provisions of section ~~12-23-118~~ **12-115-122** for any improper work
38 performed by an electrical apprentice working at the trade during the time of his OR HER

1 employment while under the supervision of ~~such~~ THE person. The registration of ~~such~~ THE
2 apprentice may also be subject to disciplinary action under the provisions of section
3 ~~12-23-118~~ **12-115-122**.

4 (3) (a) Upon employing an electrical apprentice to work at the trade, the electrical
5 contractor, within thirty days after ~~such~~ THE initial employment, shall register ~~such~~ THE
6 apprentice with the board. The employer shall also notify the board within thirty days after
7 the termination of ~~such~~ THE employment.

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

10
11 **12-115-116. [Formerly 12-23-111] Exemptions - definition.** (1) Employees of
12 public service corporations, rural electrification associations, or municipal utilities
13 generating, distributing, or selling electrical energy for light, heat, or power or for operating
14 street railway systems, or telephone or telegraph systems, or their corporate affiliates and
15 their employees or employees of railroad corporations, or lawfully permitted or franchised
16 cable television companies and their employees shall not be required to hold licenses while
17 doing electrical work for ~~such~~ THOSE purposes.

18 (2) Nothing in this article **115** shall be construed to require any individual to hold a
19 license before doing electrical work on his or her own property or residence if all such
20 electrical work, except for maintenance or repair of existing facilities, is inspected as
21 provided in this article **115**; if, however, the property or residence is intended for sale or
22 resale by a person engaged in the business of constructing or remodeling ~~such~~ THE facilities
23 or structures or is rental property that is occupied or is to be occupied by tenants for lodging,
24 either transient or permanent, or is generally open to the public, the owner shall be
25 responsible for, and the property shall be subject to, all of the provisions of this article **115**
26 pertaining to inspection and licensing, unless specifically exempted therein.

27 (3) Nothing in this article **115** shall be construed to require any regular employee of
28 any firm or corporation to hold a license before doing any electrical work on the property of
29 ~~such~~ THE firm or corporation, whether or not ~~such~~ THE property is owned, leased, or rented.
30 If the firm or corporation employing any employee performing ~~such~~ THE work has all such
31 electrical work installed in conformity with the minimum standards as set forth in this article
32 **115** and all such work is subject to inspection by the board or its inspectors by request in
33 writing in accordance with subsection ~~(14)~~ **(11)** of this section; and if the property of any
34 such firm or corporation is not generally open to the public. No license for ~~such~~ THE firm or
35 corporation, nor inspection by the board or its inspectors, nor the payment of any fees thereon
36 shall be required, with the exception of inspection by the board or its inspectors when
37 performed by written request. Nothing contained in this article **115** shall be construed to
38 require any license, any inspection by the board or its inspectors, or the payment of any fees

1 for any electrical work performed for maintenance, repair, or alteration of existing facilities,
2 which shall be exempt as provided in this section.

3 (4) If the property of any person, firm, or corporation is rental property or is
4 developed for sale, lease, or rental, or is occupied or is to be occupied by tenants for lodging,
5 either transient or permanent, or is generally open to the public, then ~~such~~ THE property of
6 any such person, firm, or corporation shall be subject to all the provisions of this article **115**
7 pertaining to inspection and licensing, except for the maintenance, repair, or alteration of
8 existing facilities, which shall be exempt as provided in this section.

9 (5) Nothing in this article **115** shall be construed to cover the installation,
10 maintenance, repair, or alteration of vertical transportation or passenger conveyors, elevators,
11 escalators, moving walks, dumbwaiters, stage lifts, man lifts, or appurtenances thereto
12 beyond the terminals of the controllers. Furthermore, elevator contractors or constructors
13 performing any installation, maintenance, repair, or alteration under this exemption, or their
14 employees, shall not be covered by the licensing requirements of this article **115**.

15 (6) (a) Nothing in this article **115** shall be construed to require an individual to hold
16 a license before doing any maintenance or repair of existing facilities on his or her own
17 property or residence, nor to require inspection by the board or its inspectors, nor to pay any
18 fees connected therewith.

19 (b) Nothing in this article **115** shall be construed to require any firm or corporation
20 or its regular employees to be required to hold a license before doing maintenance or repair
21 of existing facilities on the property of ~~said~~ THE firm or corporation, whether or not the
22 property is generally open to the public; nor shall inspection by the board or its inspectors or
23 the payment of any fees connected therewith be required.

24 (c) For the purposes of this subsection (6), "maintenance or repair of existing
25 facilities" means to preserve or keep in good repair lawfully installed facilities by repairing
26 or replacing components with new components that serve the same purpose.

27 ~~(7) to (9) Repealed.~~

28 ~~(10)~~ (7) An individual, firm, copartnership, or corporation may engage in business
29 as an electrical contractor without an electrician's license if all electrical work performed by
30 ~~such~~ THE individual, firm, copartnership, or corporation is under the direction and control of
31 a licensed master electrician.

32 ~~(11)~~ (8) Any person who plugs in any electrical appliance where AN approved
33 electrical outlet is already installed shall not be considered an installer.

34 ~~(12)~~ (9) No provision of this article **115** shall in any manner interfere with, hamper,
35 preclude, or prohibit any vendor of any electrical appliance from selling, delivering, and
36 connecting any electrical appliance, if the connection of ~~said~~ THE appliance does not
37 necessitate the installation of electrical wiring of the structure where ~~said~~ THE appliance is
38 connected.

1 ~~(13)~~ (10) The provisions of this article **115** shall not be applicable to the installation
2 or laying of metal or plastic electrical conduits in bridge or highway projects where ~~such~~ THE
3 conduits must be laid according to specifications complying with applicable electrical codes.

4 ~~(13.5) Repealed.~~

5 ~~(14)~~ (11) Nothing in this article **115** shall be construed to exempt any electrical work
6 from inspection under the provisions of this article **115** except that which is specifically
7 exempted in this article **115**, and nothing in this article **115** shall be construed to exempt any
8 electrical work from inspection by the board or its inspectors upon order of the board or from
9 any required corrections connected therewith. However, no fees or charges may be charged
10 for any such inspection except as set forth in this article **115**, unless request for inspection
11 has been made to the board or its inspectors in writing, in which case, unless otherwise
12 covered in this article **115**, the actual expenses of the board and its inspectors of the
13 inspection involved shall be charged by and be paid to the board. The board is directed to
14 make available and mail minimum standards pertaining to specific electrical installations on
15 request and to charge a fee for the same, ~~such~~ THE fee not to exceed the actual cost involved,
16 and in no case more than one dollar. Requests for copies of the national electrical code shall
17 be filled when available, costs thereof not to exceed the actual cost to the board.

18 ~~(15)~~ (12) Inasmuch as electrical licensing and the examination of persons performing
19 electrical work is a matter of statewide concern, THE examination, certification, licensing, or
20 registration of electrical contractors, master electricians, journeymen electricians, residential
21 wiremen, or apprentices who are licensed, registered, or certified under this article **115** shall
22 not be required by any city, town, county, city and county, or qualified state institution of
23 higher education; however, any such local governmental authority or qualified state
24 institution of higher education may impose reasonable registration requirements on any
25 electrical contractor as a condition of performing services within the jurisdiction of ~~such~~ THE
26 authority or within buildings owned or leased or on land owned by ~~such~~ THE qualified state
27 institution of higher education. No fee shall be charged for ~~such~~ THE registration.

28 ~~(16)~~ (13) The provisions of this article **115** shall not be applicable to any surface or
29 subsurface operation or property used in, around, or in conjunction with any mine ~~which~~
30 THAT is inspected pursuant to the "Federal Mine Safety and Health Amendments Act of
31 1977", Pub.L. 95-164, except permanent state highway tunnel facilities, which shall conform
32 to standards based on the national electrical code. Nothing contained in this subsection ~~(16)~~
33 **(13)** shall prohibit the department of transportation from adopting more stringent standards
34 or requirements than those provided by the minimum standards specified in the national
35 electrical code, and the department of transportation shall furnish a copy of ~~such~~ THE more
36 stringent standards to the board.

37 ~~(17)~~ (14) (a) The permit and inspection provisions of this article **115** shall not apply
38 to:

1 (I) Installations under the exclusive control of electric utilities for the purpose of
2 communication or metering or for the generation, control, transformation, transmission, or
3 distribution of electric energy, whether ~~such~~ THE installations are located in buildings used
4 exclusively for utilities for ~~such~~ THOSE purposes or located outdoors on property owned or
5 leased by the utility or on public highways, streets, or roads or outdoors by virtue of
6 established rights on private property; or

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

14 (b) This subsection ~~(17)~~ **(14)** does not exempt any premises wiring on buildings,
15 structures, or other premises not owned by or under the exclusive control of the utility nor
16 wiring in buildings used by the utility for purposes other than those listed in this subsection
17 ~~(17)~~ **(14)**, such as office buildings, garages, warehouses, machine shops, and recreation
18 buildings. This subsection ~~(17)~~ **(14)** exempts all of the facilities, buildings, and the like inside
19 the security fence of a generating station, substation, control center, or communication
20 facility.

21 ~~(18)~~ (15) Nothing in this article **115** shall be construed to cover the installation,
22 maintenance, repair, or alteration of security systems of fifty volts or less, lawn sprinkler
23 systems, environmental controls, or remote radio-controlled systems beyond the terminals
24 of the controllers. Furthermore, the contractors performing any installation, maintenance,
25 repair, or alteration under this exemption, or their employees, shall not be covered by the
26 licensing requirements of this article **115**.

27 ~~(19)~~ (16) Nothing in this article **115** shall be construed to cover the installation,
28 maintenance, repair, or alteration of electronic computer data processing equipment and
29 systems beyond the terminals of the controllers. Furthermore, the contractors performing any
30 installation, maintenance, repair, or alteration under this exemption, or their employees, shall
31 not be covered by the licensing requirements of this article **115**.

32 ~~(20)~~ (17) Nothing in this article **115** shall be construed to cover the installation,
33 maintenance, repair, or alteration of communications systems, including telephone and
34 telegraph systems not exempted as utilities in subsection (1) of this section, radio and
35 television receiving and transmitting equipment and stations, and antenna systems other than
36 community antenna television systems beyond the terminals of the controllers. Furthermore,
37 the contractors performing any installation, maintenance, repair, or alteration under this
38 exemption, or their employees, shall not be covered by the licensing requirements of this

1 article *115*.

2 ~~(21)~~ (18) Nothing in this article *115* shall be construed to cover the installation,
3 maintenance, repair, or alteration of electric signs, cranes, hoists, electroplating, industrial
4 machinery, and irrigation machinery beyond the terminals of the controllers. Furthermore,
5 the contractors performing any installation, maintenance, repair, or alteration under this
6 exemption, or their employees, shall not be covered by the licensing requirements of this
7 article *115*.

8 ~~(22)~~ (19) Nothing in this article *115* shall be construed to cover the installation,
9 maintenance, repair, or alteration of equipment and wiring for sound recording and
10 reproduction systems, centralized distribution of sound systems, public address and
11 speech-input systems, or electronic organs beyond the terminals of the controllers.
12 Furthermore, the contractors performing any installation, maintenance, repair, or alteration
13 under this exemption, or their employees, shall not be covered by the licensing requirements
14 of this article *115*.

15 ~~(23)~~ (20) Nothing in this article *115* shall be construed to require either that
16 employees of the federal government who perform electrical work on federal property shall
17 be required to be licensed before doing electrical work on ~~such~~ THE property or that the
18 electrical work performed on ~~such~~ THE property shall be regulated pursuant to this article
19 *115*.

20 ~~(24)~~ (21) Nothing in this *115* article shall be construed to require licensing that covers
21 the installation, maintenance, repair, or alteration of fire alarm systems operating at fifty volts
22 or less. Furthermore, the contractors performing any installation, maintenance, repair, or
23 alteration under this exemption, or their employees, shall not be covered by the licensing
24 requirements of this article *115* but shall be subject to all provisions of this article *115*
25 pertaining to inspections and permitting.
26

27 **12-115-117. [Formerly 12-23-112] Fees.** (1) As established pursuant to section
28 ~~24-34-105, C.R.S. 12-20-105~~, fees shall be charged by the state electrical board for the
29 following:

- 30 (a) Master electrician's license or permit;
31 (b) Renewal of master electrician's license;
32 (c) Journeyman electrician's license or permit;
33 (d) Renewal of journeyman electrician's license;
34 (e) Examination for master electrician;
35 (f) Examination for journeyman electrician;
36 (g) Electrical contractor registration;
37 (h) Renewal of electrical contractor registration;
38 (i) Residential wireman's license or permit;

(j) Renewal of residential wireman's license;

(k) Examination for residential wireman;

(l) Apprentice registration.

(m) ~~(Deleted by amendment, L. 2010, (HB 10-1225), ch. 198, p. 865, § 16, effective July 1, 2010.)~~

~~**12-23-113. Disposition of fees and expenses of board.** All moneys collected under this article, except for fines collected pursuant to section 12-23-118 (7)(a), shall be transmitted to the state treasurer, who shall credit the same pursuant to section 24-34-105, C.R.S., and the general assembly shall make annual appropriations pursuant to said section for expenditures of the board incurred in the performance of its duties under this article, which expenditures shall be made from such appropriations upon vouchers and warrants drawn pursuant to law. <{Redundant with fees common provision, 12-20-105. Recommend repeal of section.}>~~

12-115-118. [Formerly 12-23-114] Publications.

~~(1) Repealed.~~

(2) Publications of the board circulated in quantity outside the executive branch shall be issued in accordance with the provisions of section 24-1-136. C.R.S.

12-115-119. [Formerly 12-23-115] Inspectors - qualifications - repeal.

~~(1) (a) (I) The director of the division of professions and occupations is hereby authorized to appoint or employ, with the power of removal, competent persons licensed under this article 23 115 as journeymen or master electricians as state electrical inspectors. The division director is also authorized to appoint or employ, with the power of removal, for the purpose of inspecting one-, two-, three-, or four-family dwellings, competent persons with the following qualifications:~~

~~(A) Persons who have passed the written residential wireman's examination described in section 12-23-106 12-115-110; or~~

~~(B) Persons employed by any city, town, county, or city and county on or before January 1, 2019, who have been certified as residential electrical inspectors by a national certification authority approved by the board and who have furnished satisfactory evidence of at least two years' practical experience in the electrical inspection of residential dwellings. This subsection (1)(a)(I)(B) is repealed, effective January 1, 2023.~~

~~(II) ~~Such~~ THE inspectors may be employed either on a full-time or on a part-time basis as the circumstances in each case shall warrant; except that the ~~division~~ director may contract with any electrical inspector regularly engaged as such and certify him OR HER to make inspections in a designated area at such compensation as shall be fixed by the ~~division~~~~

1 director. State electrical inspectors have the right of ingress and egress to and from all public
2 and private premises during reasonable working hours where this law applies for the purpose
3 of making electrical inspections or otherwise determining compliance with the provisions of
4 this article **115**. In order to avoid conflicts of interest, a state electrical inspector hired under
5 this section shall not inspect any electrical work in which ~~such~~ THE inspector has any
6 financial or other personal interest and shall not be engaged in the electrical business by
7 contracting, supplying material, or performing electrical work as defined in this article **115**.

8 (b) Any employee of a private, municipal, or cooperative electric utility rendering
9 service to the ultimate public shall be prohibited from employment as an electrical inspector
10 only when in the performance of any electrical work as defined in this article **115**. Electrical
11 inspectors performing electrical inspections who are employed by any city, town, county, city
12 and county, or qualified state institution of higher education shall possess the same
13 qualifications required of state electrical inspectors under this section; shall be registered
14 with the board prior to the assumption of their duties; shall not inspect any electrical work
15 in which ~~such~~ THE inspector has any financial or other personal interest; and shall not be
16 engaged, within the jurisdiction employing ~~such~~ THE inspector, in the electrical business by
17 contracting, supplying material, or performing electrical work as defined in this article **115**.
18 Additionally, electrical inspectors performing electrical inspections who are employed by a
19 qualified state institution of higher education shall possess an active journeyman or master
20 electrician license. A supervisor overseeing the work of an electrical inspector who is
21 employed by a qualified state institution of higher education shall not direct ~~such~~ THE
22 electrical inspector to violate any provision of this article **115**. An electrical inspector
23 employed by a qualified state institution of higher education shall not be coerced by a
24 supervisor when filing a complaint with the board, or when ~~such~~ THE electrical inspector
25 disapproves an electrical installation that violates the provisions of this article **115**.

26 (c) Nothing in this article **115** shall be construed to limit any inspector from
27 qualifying as an inspector in other construction specialties.

28 ~~(2) Repealed.~~

29 ~~(3)~~ (2) State electrical inspectors appointed or employed pursuant to subsection (1)
30 of this section may:

31 (a) Conduct inspections and investigations pursuant to section ~~12-23-118~~ (4)
32 **12-115-122 (2)** on behalf of the program director;

33 (b) Provide service of process for a citation served pursuant to section ~~12-23-118~~
34 ~~(6)~~(b) **12-115-122 (4)(b)** in compliance with rule 4 of the Colorado rules of civil procedure.

35
36 **12-115-120. [Formerly 12-23-116] Inspection - application - standard - rules.**

37 (1) (a) An individual required to have electrical inspection under this article **115** shall apply
38 to the board for an electrical permit, except where an incorporated town or city, county, city

1 and county, or qualified state institution of higher education has a building department that
2 meets the minimum standards of this article **115** and that processes applications for building
3 permits and inspections, in which case the individual shall apply to ~~such~~ THE building
4 department. A qualified state institution of higher education with a building department that
5 meets or exceeds the minimum standards adopted by the board under this article **115** shall
6 process applications for permits and inspections only from the institution and from
7 contractors working for the benefit of the institution and shall conduct inspections only of
8 work performed for the benefit of the institution. Each inspection must include a
9 contemporaneous review to ensure that the requirements of this article **115**, and specifically
10 section ~~12-23-110.5~~ **12-115-115**, have been met.

11 (b) Upon final inspection and approval by the state electrical inspector, notice shall
12 be issued by the board to the utility, and the office of the board shall retain one copy of the
13 record of approval.

14 (c) A utility shall not provide service to any person required to have electrical
15 inspection under this article **115** without proof of final approval as provided in ~~paragraph (b)~~
16 ~~of this subsection~~ SUBSECTION **(1)(b)** OF THIS SECTION; except that service shall be provided
17 in those situations determined by the local electrical inspection authority, or by the board,
18 whichever has jurisdiction, to be emergency situations for a maximum period of seven days
19 or until the inspection has been made.

20 (2) (a) The owner of an electrical installation in any new construction, other than
21 manufactured units certified by the division of housing pursuant to section 24-32-3311,
22 ~~C.R.S.~~, or remodeling or repair of an existing construction, except in any incorporated town
23 or city, county, city and county, or qualified state institution of higher education having its
24 own electrical code and inspection program equal to the minimum standards as are provided
25 in this article **115**, shall have the electrical portion of the installation, remodeling, or repair
26 inspected by a state electrical inspector. A qualified state institution of higher education with
27 a building department that meets or exceeds the minimum standards adopted by the board
28 under this article **115** shall process applications for permits and inspections only from the
29 institution and from contractors working for the benefit of the institution and shall conduct
30 inspections only of work performed for the benefit of the institution.

31 (b) A state electrical inspector shall inspect any new construction, remodeling, or
32 repair subject to this subsection (2) within three working days after the receipt of the
33 application for inspection. Prior to the commencement of any electrical installation, the
34 person making the installation shall apply for an electrical permit and pay the required permit
35 fee.

36 (c) A manufactured home, mobile home, or movable structure owner shall have the
37 electrical installation for the manufactured home, mobile home, or movable structure
38 inspected prior to obtaining electric service.

1 (3) A state electrical inspector shall inspect the work performed, and, if ~~such~~ THE
2 work meets the minimum standards set forth in the national electrical code referred to in
3 section ~~12-23-104 (2)(a)~~ **12-115-107 (2)(a)**, a certificate of approval shall be issued by the
4 inspector. If ~~such~~ THE installation is disapproved, written notice thereof together with the
5 reasons for ~~such~~ THE disapproval shall be given by the inspector to the applicant. If ~~such~~ THE
6 installation is hazardous to life or property, the inspector disapproving it may order the
7 electrical service thereto discontinued until ~~such~~ THE installation is rendered safe and shall
8 send a copy of the notice of disapproval and order for discontinuance of service to the
9 supplier of electricity. The applicant may appeal ~~such~~ THE disapproval to the board and shall
10 be granted a hearing by the board within seven days after notice of appeal is filed with the
11 board. After removal of the cause of ~~such~~ THE disapproval, the applicant shall make
12 application for reinspection in the same manner as for the original inspection and pay the
13 required reinspection fee.

14 (4) The person or inspector making an application, certificate of approval, or notice
15 of disapproval shall include the name of the property owner, if known; the location and a
16 brief description of the installation; the name of the electrical contractor and state registration
17 number; the state electrical inspector; and the fee charged for the permit. The notice of
18 disapproval and corrective actions to be taken shall be submitted to the board, and a copy of
19 the notice shall be submitted to the electrical contractor within two working days after the
20 date of inspection. The inspector shall post a copy of the notice at the installation site. The
21 board shall furnish the forms. A copy of each application, certificate, and notice made or
22 issued shall be filed with the board.

23 (5) Nothing in this section shall be construed to require any utility as defined in this
24 article **115** to collect or enforce collection or in any way handle the payment of any fee
25 connected with ~~such~~ THE application.

26 (6) (a) All inspection permits issued by the board shall be valid for a period of twelve
27 months, and the board shall cancel the permit and remove it from its files at the end of the
28 twelve-month period, except in the following circumstances:

29 (I) If an applicant makes a showing at the time of application for a permit that the
30 electrical work is substantial and is likely to take longer than twelve months, the board may
31 issue a permit to be valid for a period longer than twelve months, but not exceeding three
32 years.

33 (II) If the applicant notifies the board prior to the expiration of the twelve-month
34 period of extenuating circumstances, as determined by the board, during the twelve-month
35 period, the board may extend the validity of the permit for a period not to exceed six months.

36 (b) If an inspection is requested by an applicant after a permit has expired or has been
37 cancelled, a new permit must be applied for and granted before an inspection is performed.

38 (7) Notwithstanding the fact that any incorporated town or city, any county, or any

city and county in which a public school is located or is to be located has its own electrical code and inspection authority, any electrical installation in any new construction or remodeling or repair of a public school shall be inspected by a state electrical inspector.

(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 buildings owned, leased, or on its land, ~~such~~ THE public entity or institution shall commence or cease the same only as of July 1 of any year, and written notice of ~~such~~ THE intent must be given to the board on or before October 1 of the preceding calendar year. If ~~such~~ THE notice is not given and the use of state electrical inspectors is required within ~~such~~ THE notice requirement, the respective local government or qualified state institution of higher education of the respective jurisdiction or building requiring ~~such~~ THE inspections shall reimburse the state electrical board for any expenses incurred in performing ~~such~~ THE inspections, in addition to transmitting the required permit fees.

~~(b) Repeated.~~

(9) (a) A person claiming to be aggrieved by the failure of a state electrical inspector to inspect property after proper application or by notice of disapproval without setting forth the reasons for rejecting the inspection may request the program director to review the actions of the state electrical inspector or the manner of the inspection. The request may be made by an authorized representative and shall be in writing.

(b) Upon the filing of ~~such~~ a request, the program director shall cause a copy to be served upon the state electrical inspector complained of, together with an order requiring the inspector to answer the allegations of ~~said~~ THE request within a time fixed by the program director.

(c) If the request is not granted within ten days after it is filed, it may be treated as rejected. Any person aggrieved by the action of the program director in refusing the review requested or in failing or refusing to grant all or part of the relief requested may file a written complaint and request for a hearing with the board, specifying the grounds relied upon.

(d) Any hearing before the board shall be held pursuant to the provisions of section 24-4-105, C.R.S.

(10) 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 ~~12-23-105~~ ~~12-115-109~~ and ~~12-23-110.5~~ ~~12-115-115~~ have been met. A contemporaneous review may include a full or partial review of the electricians and

1 apprentices working on a job site being inspected. To ensure that enforcement is consistent,
2 timely, and efficient, each entity, including the state, as described in this subsection (10),
3 shall develop standard procedures to advise its inspectors how to conduct a contemporaneous
4 review. Each entity's standard procedures need not require a contemporaneous review for
5 each and every inspection of a project, but the procedures must preserve an inspector's ability
6 to verify compliance with sections ~~12-23-105~~ **12-115-109** and ~~12-23-110.5~~ **12-115-115** at any
7 time. Each entity, including the state, shall post its current procedures regarding
8 contemporaneous reviews in a prominent location on its public website. An inspector may
9 file a complaint with the board for any violation of this article **115**.

10
11 **12-115-121. [Formerly 12-23-117] Permit fees.** (1) As established pursuant to
12 section ~~24-34-105, C.R.S.~~ **12-20-105**, inspection fees shall be charged by the board and shall
13 be set and categorized based upon the actual expense of inspecting each type of electrical
14 installation.

15 (2) Because electrical inspections are matters of statewide concern, the maximum
16 fees, established annually, chargeable for electrical inspections by any city, town, county, city
17 and county, or qualified state institution of higher education shall not be more than fifteen
18 percent above those provided for in this section, and no such local government or qualified
19 state institution of higher education shall impose or collect any other fee or charge related
20 to electrical inspections or permits. A qualified state institution of higher education may
21 choose not to require fees as part of the permitting process. A documented permitting and
22 inspection system must be instituted by each qualified state institution of higher education
23 as a tracking system that is available to the board for the purpose of investigating any alleged
24 violation of this article **115**. The permitting and inspection system must include information
25 specifying the project, the name of the inspector, the date of the inspection, the job-site
26 address, the scope of the project, the type of the inspection, the result of the inspection, the
27 reason and applicable code sections for partially passed or failed inspections, and the names
28 of the contractors on the project who are subject to inspection.

29 (3) If an application is not filed in advance of the commencement of an installation,
30 the inspection fee shall be twice the amount of the inspection fee set by the board pursuant
31 to subsection (1) of this section.

32
33 **12-115-122. [Formerly 12-23-118] Violations - citations - settlement agreements**
34 **- hearings - fines - rules.** (1) The board may ~~deny, suspend, revoke, refuse to renew, or~~
35 ~~issue a letter of admonition~~ TAKE DISCIPLINARY OR OTHER ACTION AS AUTHORIZED BY
36 SECTION 12-20-404 in regard to any license or registration issued or applied for under the
37 provisions of this article **115**, ~~may place a licensee or registrant on probation,~~ or may issue
38 a citation to a licensee, registrant, or applicant for licensure for any of the following reasons:

1 <{**Redundant with disciplinary authority common provision. Recommend amending as**
2 **indicated.**}>

3 (a) Violation of or aiding or abetting in the violation of any of the provisions of this
4 article **115**;

5 (b) Violation of the rules ~~and regulations~~ or orders promulgated by the board in
6 conformity with the provisions of this article **115** or aiding or abetting in ~~such~~ THE violation;

7 (c) Failure or refusal to remove within a reasonable time the cause of the disapproval
8 of any electrical installation as reported on the notice of disapproval, but ~~such~~ A reasonable
9 time shall include time for appeal to and a hearing before the board;

10 (d) Failure or refusal to maintain or adhere to the minimum standards set forth in
11 rules ~~and regulations~~ adopted by the board pursuant to section ~~12-23-104(2)(a)~~ **12-115-107**
12 **(2)(a)**;

13 (e) Any cause for which the issuance of the license could have been refused had it
14 then existed and been known to the board;

15 (f) Commitment of one or more acts or omissions that do not meet generally accepted
16 standards of electrical practice;

17 (g) Conviction of or acceptance of a plea of guilty or nolo contendere by a court to
18 a felony. In considering the disciplinary action, the board shall be governed by the provisions
19 of ~~section~~ SECTIONS **12-20-202 (5)** AND 24-5-101. ~~C.R.S.~~

20 (h) Advertising by any licensee or registrant ~~which~~ THAT is false or misleading;

21 (i) Deception, misrepresentation, or fraud in obtaining or attempting to obtain a
22 license;

23 (j) Failure of a master electrician who is charged with supervising all electrical work
24 performed by a contractor pursuant to section ~~12-23-106(5)(c)~~ **12-115-110 (5)(c)** to
25 adequately supervise ~~such~~ THE work or failure of any licensee to adequately supervise an
26 apprentice who is working at the trade pursuant to section ~~12-23-110.5~~ **12-115-115**;

27 (k) Employment of any person required by this article **115** to be licensed or registered
28 or to obtain a permit who has not obtained ~~such~~ THE license, registration, or permit;

29 (l) Disciplinary action against an electrician's license or registration in another
30 jurisdiction. Evidence of ~~such~~ THE disciplinary action shall be prima facie evidence for denial
31 of licensure or registration or other disciplinary action if the violation would be grounds for
32 ~~such~~ disciplinary action in this state.

33 (m) Providing false information to the board during an investigation with the intent
34 to deceive or mislead the board;

35 (n) Practicing as a residential wireman, journeyman, master, contractor, or apprentice
36 during a period when the licensee's license or the registrant's registration has been suspended
37 or revoked;

38 (o) Selling or fraudulently obtaining or furnishing a license to practice as a residential

1 wireman, journeyman, or master or aiding or abetting therein;

2 (p) In conjunction with any construction or building project requiring the services of
3 any person regulated by this article **115**, willfully disregarding or violating:

4 (I) Any building or construction law of this state or any of its political subdivisions;

5 (II) Any safety or labor law;

6 (III) Any health law;

7 (IV) Any workers' compensation insurance law;

8 (V) Any state or federal law governing withholdings from employee income,
9 including but not limited to income taxes, unemployment taxes, or social security taxes; or

10 (VI) Any reporting, notification, or filing law of this state or the federal government.

11 ~~(2) and (3) (Deleted by amendment, L. 94, p. 36, § 3, effective July 1, 1994.)~~

12 ~~(4)~~ (2) (a) If, pursuant to an inspection or investigation by a state electrical inspector,
13 the board concludes that any licensee, registrant, or applicant for licensure has violated any
14 provision of subsection (1) of this section and that disciplinary action is appropriate, the
15 program director or the program director's designee may issue a citation in accordance with
16 subsection ~~(6)~~ (4) of this section to ~~such~~ THE licensee, registrant, or applicant.

17 (b) (I) The licensee, registrant, or applicant to whom a citation has been issued may
18 make a request to negotiate a stipulated settlement agreement with the program director or
19 the program director's designee, if ~~such~~ THE request is made in writing within ten working
20 days after issuance of the citation that is the subject of the settlement agreement.

21 (II) All stipulated settlement agreements shall be conducted pursuant to rules adopted
22 by the board pursuant to section ~~12-23-104 (2)(a)~~ **12-115-107 (2)(a)**. The board shall adopt
23 a rule to allow any licensee, registrant, or applicant unable, in good faith, to settle with the
24 program director to request an administrative hearing pursuant to ~~paragraph (c) of this~~
25 ~~subsection (4)~~ SUBSECTION (2)(c) OF THIS SECTION.

26 ~~(III) When a complaint or an investigation discloses an instance of misconduct that,~~
27 ~~in the opinion of the board, warrants formal action, the complaint shall not be resolved by~~
28 ~~a deferred settlement, action, judgment, or prosecution. <{Redundant with discipline/no~~
29 ~~deferred action/settlement common provision, 12-20-404 (2). Recommend repealing.}>~~

30 (c) (I) The licensee, registrant, or applicant to whom a citation has been issued may
31 request an administrative hearing to determine the propriety of ~~such~~ THE citation if ~~such~~ THE
32 request is made in writing within ten working days after issuance of the citation that is the
33 subject of the hearing or within a reasonable period after negotiations for a stipulated
34 settlement agreement pursuant to ~~paragraph (b) of this subsection (4)~~ SUBSECTION (2)(b) OF
35 THIS SECTION have been deemed futile by the program director.

36 (II) For good cause the board may extend the period of time in which a person who
37 has been cited may request a hearing.

38 (III) All hearings conducted pursuant to subparagraph (I) of this paragraph (c)

1 SUBSECTION (2)(c)(I) OF THIS SECTION shall be conducted in compliance with section
2 24-4-105, C.R.S.

3 (d) Any action taken by the board pursuant to this section shall be deemed final after
4 the period of time extended to the licensee, registrant, or applicant to contest ~~such~~ THE action
5 pursuant to this subsection ~~(4)~~ (2) has expired.

6 ~~(5)~~ (3) (a) The board shall adopt a schedule of fines pursuant to ~~paragraph (b) of this~~
7 ~~subsection (5)~~ SUBSECTION (3)(b) OF THIS SECTION as penalties for violating subsection (1)
8 of this section. ~~Such~~ THE fines shall be assessed in conjunction with the issuance of a
9 citation, pursuant to a stipulated settlement agreement, or following an administrative
10 hearing. ~~Such~~ THE schedule shall be adopted by rule in accordance with section ~~12-23-104~~
11 ~~(2)(a)~~ 12-115-107 (2)(a).

12 (b) In developing the schedule of fines, the board shall:

13 (I) Provide that a first offense may carry a fine of up to one thousand dollars;

14 (II) Provide that a second offense may carry a fine of up to two thousand dollars;

15 (III) Provide that any subsequent offense may carry a fine of up to two thousand
16 dollars for each day that subsection (1) of this section is violated;

17 (IV) Consider how the violation impacts the public, including any health and safety
18 considerations;

19 (V) Consider whether to provide for a range of fines for any particular violation or
20 type of violation; and

21 (VI) Provide uniformity in the fine schedule.

22 ~~(c) Repeated:~~

23 ~~(6)~~ (4) (a) (I) Any citation issued pursuant to this section shall be in writing, shall
24 adequately describe the nature of the violation, and shall reference the statutory or regulatory
25 provision or order alleged to have been violated.

26 (II) Any citation issued pursuant to this section shall clearly state whether a fine is
27 imposed, the amount of ~~such~~ THE fine, and that payment for such fine must be remitted
28 within the time specified in ~~such~~ THE citation if such citation is not contested pursuant to
29 subsection ~~(4)~~ (2) of this section.

30 (III) Any citation issued pursuant to this section shall clearly set forth how ~~such~~ THE
31 citation may be contested pursuant to subsection ~~(4)~~ (2) of this section, including any time
32 limitations.

33 (b) A citation or copy of a citation issued pursuant to this section may be served by
34 certified mail or in person by a state electrical inspector or the program director's designee
35 upon a person or the person's agent in accordance with rule 4 of the Colorado rules of civil
36 procedure.

37 (c) If the recipient fails to give written notice to the board that the recipient intends
38 to contest ~~such~~ THE citation or to negotiate a stipulated settlement agreement within ten

1 working days after service of a citation by the board, ~~such~~ THE citation shall be deemed a
2 final order of the board.

3 (d) (I) The board may ~~suspend or revoke a license or registration or may refuse to~~
4 ~~renew any license or registration issued or may place on probation any licensee or registrant~~
5 TAKE DISCIPLINARY ACTION AS SPECIFIED IN SECTION 12-20-404 (1)(b) OR (1)(d) if the
6 licensee or registrant fails to comply with the requirements set forth in a citation deemed final
7 pursuant to ~~paragraph (c) of this subsection (6)~~ SUBSECTION (4)(c) OF THIS SECTION.

8 (II) Upon completing an investigation, the board shall make one of the following
9 findings:

10 (A) The complaint is without merit and no further action need be taken.

11 (B) There is no reasonable cause to warrant further action.

12 (C) The investigation discloses an instance of conduct that does not warrant formal
13 action and should be dismissed, but the investigation also discloses indications of possible
14 errant conduct that could lead to serious consequences if not corrected. If this finding is
15 made, the board shall send a confidential letter of concern to the licensee or registrant IN
16 ACCORDANCE WITH SECTION 12-20-404 (5). <{Redundant with *discipline/confidential letter*
17 *of concern common provision, 12-20-404 (5). Recommend amending as indicated.*>

18 (D) The investigation discloses an instance of conduct that does not warrant formal
19 action but should not be dismissed as being without merit. If this finding is made, the board
20 may send a letter of admonition to the licensee or registrant by certified mail IN ACCORDANCE
21 WITH SECTION 12-20-404 (4). <{Redundant with *discipline/letter of admonition common*
22 *provision, 12-20-404 (4). Recommend amending as indicated.*>

23 (E) The investigation discloses facts that warrant further proceedings by formal
24 complaint. If this finding is made, the board shall refer the complaint to the attorney general
25 for preparation and filing of a formal complaint.

26 (HH) (A) ~~When a letter of admonition is sent by certified mail to a licensee or~~
27 ~~registrant, the board shall include in the letter a notice that the licensee or registrant has the~~
28 ~~right to request in writing, within twenty days after receipt of the letter, that formal~~
29 ~~disciplinary proceedings be initiated to adjudicate the propriety of the conduct upon which~~
30 ~~the letter of admonition is based.~~

31 (B) ~~If the request for adjudication is timely made, the letter of admonition is vacated~~
32 ~~and the board shall proceed by means of formal disciplinary proceedings.~~ Redundant with
33 *discipline/ letter of admonition common provision, 12-20-404 (4). Recommend repeal.*

34 (IV) (Deleted by amendment, L. 2010, (HB 10-1225), ch. 198, p. 866, § 18, effective
35 July 1, 2010.)

36 (V) (III) The board shall conduct all proceedings pursuant to this subsection (6) (4)
37 expeditiously and informally so that no licensee or registrant is subjected to unfair and unjust
38 charges and that no complainant is deprived of the right to a timely, fair, and proper

1 investigation of a complaint.

2 (e) The failure of an applicant for licensure to comply with a citation deemed final
3 pursuant to ~~paragraph (c) of this subsection (6)~~ SUBSECTION (4)(c) OF THIS SECTION is
4 grounds for denial of a license.

5 (f) No citation may be issued under this section unless the citation is issued within
6 the six-month period following the occurrence of the violation.

7 ~~(7)~~ (5) (a) Any fine collected pursuant to this section shall be transmitted to the state
8 treasurer, who shall credit one-half of the amount of any such fine to the general fund, and
9 one-half of the amount of any ~~such~~ THE fine shall be shared with the appropriate city, town,
10 county, or city and county, which amounts shall be transmitted to any such entity on an
11 annual basis.

12 (b) Any fine assessed in a citation or an administrative hearing or any amount due
13 pursuant to a stipulated settlement agreement that is not paid may be collected by the
14 program director through a collection agency or in an action in the district court of the county
15 in which the person against whom the fine is imposed resides or in the county in which the
16 office of the program director is located.

17 (c) The attorney general shall provide legal assistance and advice to the program
18 director in any action to collect an unpaid fine.

19 (d) In any action brought to enforce this subsection ~~(7)~~ (5), reasonable attorney fees
20 and costs shall be awarded.

21 ~~(8) (a) If it appears to the board, based upon credible evidence as presented in a~~
22 ~~written complaint by any person, that a licensee is acting in a manner that is an imminent~~
23 ~~threat to the health and safety of the public or a person is acting or has acted without the~~
24 ~~required license, the board may issue an order to cease and desist such activity. The order~~
25 ~~shall set forth the statutes and rules alleged to have been violated, the facts alleged to have~~
26 ~~constituted the violation, and the requirement that all unlawful acts or unlicensed practices~~
27 ~~immediately cease.~~

28 ~~(b) Within ten days after service of the order to cease and desist pursuant to paragraph~~
29 ~~(a) of this subsection (8), the respondent may request a hearing on the question of whether~~
30 ~~acts or practices in violation of this article have occurred. Such hearing shall be conducted~~
31 ~~pursuant to sections 24-4-104 and 24-4-105, C.R.S.~~

32 ~~(9) (a) If it appears to the board, based upon credible evidence as presented in a~~
33 ~~written complaint by any person, that a person has violated any other portion of this article;~~
34 ~~then, in addition to any specific powers granted pursuant to this article, the board may issue~~
35 ~~to such person an order to show cause as to why the board should not issue a final order~~
36 ~~directing such person to cease and desist from the unlawful act or unlicensed practice.~~

37 ~~(b) A person against whom an order to show cause has been issued pursuant to~~
38 ~~paragraph (a) of this subsection (9) shall be promptly notified by the board of the issuance~~

1 of the order, along with a copy of the order, the factual and legal basis for the order, and the
2 date set by the board for a hearing on the order. Such notice may be served by personal
3 service, by first-class United States mail, postage prepaid, or as may be practicable upon any
4 person against whom such order is issued. Personal service or mailing of an order or
5 document pursuant to this subsection (9) shall constitute notice thereof to the person.

6 (c) (I) The hearing on an order to show cause shall be commenced no sooner than ten
7 and no later than forty-five calendar days after the date of transmission or service of the
8 notification by the board as provided in paragraph (b) of this subsection (9). The hearing may
9 be continued by agreement of all parties based upon the complexity of the matter, number
10 of parties to the matter, and legal issues presented in the matter, but in no event shall the
11 hearing commence later than sixty calendar days after the date of transmission or service of
12 the notification.

13 (H) If a person against whom an order to show cause has been issued pursuant to
14 paragraph (a) of this subsection (9) does not appear at the hearing, the board may present
15 evidence that notification was properly sent or served upon such person pursuant to
16 paragraph (b) of this subsection (9) and such other evidence related to the matter as the board
17 deems appropriate. The board shall issue the order within ten days after the board's
18 determination related to reasonable attempts to notify the respondent, and the order shall
19 become final as to that person by operation of law. Such hearing shall be conducted pursuant
20 to sections 24-4-104 and 24-4-105, C.R.S.

21 (HH) If the board reasonably finds that the person against whom the order to show
22 cause was issued is acting or has acted without the required license or has or is about to
23 engage in acts or practices constituting violations of this article, a final cease-and-desist order
24 may be issued directing such person to cease and desist from further unlawful acts or
25 unlicensed practices.

26 (IV) The board shall provide notice, in the manner set forth in paragraph (b) of this
27 subsection (9), of the final cease-and-desist order within ten calendar days after the hearing
28 conducted pursuant to this paragraph (c) to each person against whom the final order has
29 been issued. The final order issued pursuant to subparagraph (HH) of this paragraph (c) shall
30 be effective when issued and shall be a final order for purposes of judicial review.

31 (10) If it appears to the board, based upon credible evidence presented to the board,
32 that a person has engaged in or is about to engage in any unlicensed act or practice, any act
33 or practice constituting a violation of this article, any rule promulgated pursuant to this
34 article, any order issued pursuant to this article, or any act or practice constituting grounds
35 for administrative sanction pursuant to this article, the board may enter into a stipulation with
36 such person.

37 (11) If any person fails to comply with a final cease-and-desist order or a stipulation,
38 the board may request the attorney general or the district attorney for the judicial district in

1 which the alleged violation exists to bring, and if so requested such attorney shall bring, suit
2 for a temporary restraining order and for injunctive relief to prevent any further or continued
3 violation of the final order.

4 (12) A person aggrieved by the final cease-and-desist order may seek judicial review
5 of the board's determination or of the board's final order in a court of competent jurisdiction.

6 (6) THE BOARD MAY ISSUE CEASE-AND-DESIST ORDERS UNDER THE CIRCUMSTANCES
7 DESCRIBED IN AND IN ACCORDANCE WITH SECTION 12-20-405. <{Subsections (8) through
8 (12) redundant with *cease and desist common provision, 12-20-405. Recommend repeal*
9 subsections (8) to (12) and replacing with cross-reference to cease-and-desist orders
10 common provision.}>
11

12 **12-23-118.1. Reapplication after revocation of licensure.** No person whose license
13 has been revoked shall be allowed to reapply for licensure earlier than two years from the
14 effective date of the revocation. <{Redundant with *waiting period common provision,*
15 12-20-404 (3). Recommend repeal.}>
16

17 **12-23-118.2. Reconsideration and review of board action. (Repealed)**
18

19 **12-23-118.3. Immunity.** Any member of the board, any member of the board's staff,
20 any person acting as a witness or consultant to the board, any witness testifying in a
21 proceeding authorized under this article, and any person who lodges a complaint pursuant
22 to this article shall be immune from liability in any civil action brought against him or her for
23 acts occurring while acting in his or her capacity as board member, staff, consultant, or
24 witness, respectively, if such individual was acting in good faith within the scope of his or
25 her respective capacity, made a reasonable effort to obtain the facts of the matter as to which
26 he or she acted, and acted in the reasonable belief that the action taken by him or her was
27 warranted by the facts. Any person participating in good faith in lodging a complaint or
28 participating in any investigative or administrative proceeding pursuant to this article shall
29 be immune from any civil or criminal liability that may result from such participation.
30 <{Redundant with immunity common provision, 12-20-402. Recommend repeal.}>
31

32 **12-115-123. [Formerly 12-23-119] Unauthorized practice - penalties.**

33 (1) Repealed.

34 (2) Any person who practices or offers or attempts to practice the profession of an
35 electrician without an active license issued under this article commits a class 2 misdemeanor
36 and shall be punished as provided in section 18-1.3-501, C.R.S., for the first offense, and,
37 for the second or any subsequent offense, the person commits a class 6 felony and shall be
38 punished as provided in section 18-1.3-401, C.R.S. **115** IS SUBJECT TO PENALTIES PURSUANT

1 TO SECTION 12-20-407 (1)(a). <{*Redundant with unauthorized practice common provision,*
2 *12-20-407. Recommend amendment as indicated.*}>
3

4 **12-115-124. [Formerly 12-23-120] Judicial review.** ~~The court of appeals shall have~~
5 ~~initial jurisdiction to review~~ SECTION 12-20-408 GOVERNS JUDICIAL REVIEW OF all final
6 actions and orders of the board. ~~that are subject to judicial review. Such proceedings shall~~
7 ~~be conducted in accordance with section 24-4-106 (11), C.R.S.~~ <{*Redundant with judicial*
8 *review common provision, 12-20-408. Recommend amending as indicated.*}>

S:\LLS\Title 12\Title 12 Bills\2019 session\Practice Acts\Business\Draft Proposals to
Distribute\October 10 Meeting\Article 115_Electricians.wpd