

**First Regular Session  
Sixty-seventh General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 09-0311.02 Jery Payne

**HOUSE BILL 09-1136**

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**HOUSE SPONSORSHIP**

**Soper,**

**SENATE SPONSORSHIP**

**Tochtrop,**

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**House Committees**

Business Affairs and Labor

**Senate Committees**

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**A BILL FOR AN ACT**

101     **CONCERNING A PERSON'S COMPETENCY TO PERFORM ELECTRICAL**  
102             **WORK.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)*

Clarifies that only a licensed electrician is competent to work on standard types of electrical wiring regardless of whether the source is standard or a renewable energy source. Requires a journeyman license applicant to show at least 288 hours of training in safety and the national electrical code and its applications.

Requires electricians to demonstrate continuing competency to renew their licenses. Instructs the state electrical board (board) to

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

promulgate rules establishing standards for demonstrating continued competency. Repeals the board's authority to examine licensees or registrants in order to renew the license or registration.

Instructs the board to strive to reduce barriers for Colorado licensees to obtain licensure by endorsement or through reciprocity in other states.

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

2           **SECTION 1.** 12-23-101 (1.7), (2), and (3), Colorado Revised  
3 Statutes, are amended, and the said 12-23-101 is further amended BY  
4 THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS, to  
5 read:

6           **12-23-101. Definitions.** As used in this article, unless the context  
7 otherwise requires:

8           (1.3) "ELECTRIC LIGHT, HEAT, AND POWER" MEANS THE STANDARD  
9 TYPES OF ELECTRICITY THAT ARE SUPPLIED BY AN ELECTRIC UTILITY,  
10 REGARDLESS OF WHETHER THE SOURCE IS AN ELECTRIC UTILITY OR THE  
11 LOAD SIDE OF A RENEWABLE ENERGY SYSTEM, AND USED AND CONSUMED  
12 IN A REAL ESTATE IMPROVEMENT OR REAL ESTATE FIXTURE.

13           (1.7) "Electrical work" means wiring for, installing, and repairing  
14 electrical apparatus and equipment for ELECTRIC light, heat, and power.

15           (2) "Journeyman electrician" means a person having the necessary  
16 qualifications, training, experience, and technical knowledge to wire for,  
17 install, and repair electrical apparatus and equipment for ELECTRIC light,  
18 heat, AND power, and FOR other purposes, in accordance with standard  
19 rules ~~and regulations~~ governing such work.

20           (3) "Master electrician" means a person having the necessary  
21 qualifications, training, experience, and technical knowledge to properly  
22 plan, lay out, and supervise the installation and repair of wiring apparatus

1 and equipment for electric light, heat, AND power, and FOR other  
2 purposes, in accordance with standard rules ~~and regulations~~ governing  
3 such work, such as the national electrical code.

4 (3.2) "NATIONAL ELECTRICAL CODE" MEANS THE CODE FOR THE  
5 SAFE INSTALLATION OF ELECTRICAL WIRING AND EQUIPMENT, AS  
6 AMENDED, PUBLISHED BY THE NATIONAL FIRE PROTECTION ASSOCIATION  
7 AND APPROVED BY THE AMERICAN NATIONAL STANDARDS INSTITUTE, OR  
8 SUCCESSOR ORGANIZATIONS.

9 **SECTION 2.** 12-23-104 (2) (f) and (2) (i), Colorado Revised  
10 Statutes, are amended to read:

11 **12-23-104. Board powers and duties - repeal.** (2) In addition  
12 to all other powers and duties conferred or imposed upon the board by  
13 this article, the board is authorized to:

14 (f) Inspect and approve or disapprove the installation ~~within this~~  
15 ~~state~~ of electrical wiring, RENEWABLE ENERGY SYSTEMS, apparatus, or  
16 equipment for ~~electrical~~ ELECTRIC light, heat, ~~or~~ AND power according to  
17 the minimum standards in the national electrical code or AS prescribed in  
18 this article;

19 (i) Examine persons regulated by the board pursuant to this article  
20 for the renewal of a license or registration. Examination shall be by a  
21 brief multiple choice exam to be included in the renewal notice process  
22 and shall be an open book exam. THIS PARAGRAPH (i) IS REPEALED,  
23 EFFECTIVE JANUARY 1, 2011.

24 **SECTION 3.** 12-23-106 (1) and (2) (a), Colorado Revised  
25 Statutes, are amended to read:

26 **12-23-106. License requirements.** (1) (a) An applicant for a  
27 master electrician's license shall furnish written evidence that:

1 (I) ~~He~~ THE APPLICANT is a graduate electrical engineer of an  
2 accredited college or university and has one year of practical electrical  
3 experience in the construction industry; ~~or that~~

4 (II) ~~He~~ THE APPLICANT is a graduate of an electrical trade school  
5 or community college and has at least four years of practical experience  
6 in electrical work; ~~or that~~

7 (III) ~~He~~ THE APPLICANT has had at least one year of practical  
8 experience in planning, laying out, supervising, and installing wiring,  
9 apparatus, or equipment for ~~electrical~~ ELECTRIC light, heat, and power  
10 beyond the practical experience requirements for the journeyman's  
11 license.

12 (b) Each applicant for a license as a master electrician shall file an  
13 application on forms prepared and furnished by the board, together with  
14 the examination fee provided in section 12-23-112 (1). The board, not  
15 less than thirty days prior to a scheduled written examination, shall notify  
16 each applicant that the evidence submitted with ~~his~~ THE application is  
17 sufficient to qualify ~~him~~ THE APPLICANT to take ~~such~~ THE written  
18 examination or that ~~such~~ THE evidence is insufficient and the application  
19 is rejected. In the event that the application is rejected, the board shall set  
20 forth the reasons ~~therefor~~ FOR THE REJECTION in the notice to the applicant  
21 and shall ~~forthwith~~ return ~~such~~ THE applicant's examination fee. The  
22 place of examination shall be designated in advance by the board, and  
23 examinations shall be held not less often than twice a PER CALENDAR year  
24 and at such other times as, in the opinion of the board, the number of  
25 applicants warrants.

26 (2) (a) An applicant for a journeyman electrician's license shall  
27 furnish written evidence that the applicant has had THE FOLLOWING:

1 (I) At least four years' apprenticeship in the electrical trade or four  
2 years' practical experience in wiring for, installing, and repairing  
3 electrical apparatus and equipment for ELECTRIC light, heat, and power;  
4 ~~and shall further establish that~~

5 (II) At least two of ~~such~~ THE APPLICANT'S years' experience  
6 REQUIRED BY SUBPARAGRAPH (I) OF THIS PARAGRAPH (a) has been in  
7 commercial, industrial, or substantially similar work; AND

8 (III) EFFECTIVE JANUARY 1, 2011, DURING THE LAST FOUR YEARS  
9 OF TRAINING, APPRENTICESHIP, OR PRACTICAL EXPERIENCE IN WIRING FOR,  
10 INSTALLING, AND REPAIRING ELECTRICAL APPARATUS AND EQUIPMENT FOR  
11 ELECTRIC LIGHT, HEAT, AND POWER, AT LEAST TWO HUNDRED  
12 EIGHTY-EIGHT HOURS OF TRAINING IN SAFETY, THE NATIONAL ELECTRICAL  
13 CODE AND ITS APPLICATIONS, AND ANY OTHER TRAINING REQUIRED BY THE  
14 BOARD THAT IS PROVIDED BY AN ACCREDITED COLLEGE OR UNIVERSITY,  
15 AN ESTABLISHED INDUSTRY TRAINING PROGRAM, OR ANY OTHER PROVIDER  
16 WHOSE TRAINING IS CONDUCTED IN COMPLIANCE WITH RULES  
17 PROMULGATED BY THE BOARD.

18 **SECTION 4.** 12-23-106 (4), Colorado Revised Statutes, is  
19 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

20 **12-23-106. License requirements - rules.** (4) (d) (I) ON OR  
21 AFTER JANUARY 1, 2011, THE DEPARTMENT SHALL NOT RENEW A LICENSE  
22 UNLESS THE APPLICANT HAS DEMONSTRATED COMPETENCY THROUGH AN  
23 ASSESSMENT OF COMPETENCY, WHICH MAY BE PERFORMED BY PRIVATE  
24 ENTITIES IN ACCORDANCE WITH RULES PROMULGATED BY THE BOARD.

25 (II) THE BOARD, IN COLLABORATION WITH ESTABLISHED INDUSTRY  
26 TRAINING PROGRAMS AND INDUSTRY REPRESENTATIVES, SHALL ADOPT  
27 RULES ESTABLISHING CONTINUING COMPETENCY STANDARDS. THE RULES

1 SHALL INCLUDE, BUT SHALL NOT BE LIMITED TO, THE FOLLOWING  
2 ELEMENTS:

3 (A) ASSESSMENT OF THE KNOWLEDGE AND SKILLS REQUIRED TO  
4 RENEW A LICENSE;

5 (B) THE METHODS TO OBTAIN THE REQUIRED KNOWLEDGE AND  
6 SKILLS; AND

7 (C) THE DOCUMENTATION NECESSARY TO DEMONSTRATE  
8 COMPLIANCE WITH THIS SUBPARAGRAPH (II).

9 (III) THE ASSESSMENT REQUIRED BY SUB-SUBPARAGRAPH (A) OF  
10 SUBPARAGRAPH (II) OF THIS PARAGRAPH (d) SHALL PROVIDE SUFFICIENT  
11 INFORMATION TO EACH LICENSEE TO ALLOW THE LICENSEE TO ADDRESS  
12 ANY AREAS OF DEFICIENCY. IF THE LICENSEE FAILS TO DEMONSTRATE  
13 COMPETENCY, THE LICENSE MAY BE RENEWED IF THE LICENSEE PROVIDES  
14 EVIDENCE THAT THE LICENSEE HAS COMPLIED WITH THE REQUIREMENTS  
15 OF THE CONTINUING COMPETENCY PROGRAM.

16 **SECTION 5.** 12-23-109, Colorado Revised Statutes, is amended  
17 to read:

18 **12-23-109. License by endorsement or reciprocity.** (1) The  
19 board shall issue an electrical license by endorsement in this state to any  
20 person who is licensed to practice in another jurisdiction if such person  
21 presents proof satisfactory to the board that, at the time of application for  
22 a Colorado license by endorsement, the person possesses credentials and  
23 qualifications that are substantially equivalent to requirements in  
24 Colorado for licensure.

25 (2) The board shall issue an electrical license by reciprocity where  
26 a reciprocal agreement for an equivalent license exists, pursuant to  
27 section 12-23-104 (2) (j), between the board and the electrical board, or

1 its equivalent, of the state or states where the applicant is licensed. THE  
2 BOARD SHALL STRIVE TO REDUCE BARRIERS FOR COLORADO LICENSEES TO  
3 BE LICENSED BY ENDORSEMENT OR THROUGH RECIPROCITY IN OTHER  
4 STATES.

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

7 **SECTION 6. Act subject to petition - effective date.** This act  
8 shall take effect at 12:01 a.m. on the day following the expiration of the  
9 ninety-day period after final adjournment of the general assembly that is  
10 allowed for submitting a referendum petition pursuant to article V,  
11 section 1 (3) of the state constitution, (August 4, 2009, if adjournment  
12 sine die is on May 6, 2009); except that, if a referendum petition is filed  
13 against this act or an item, section, or part of this act within such period,  
14 then the act, item, section, or part, if approved by the people, shall take  
15 effect on the date of the official declaration of the vote thereon by  
16 proclamation of the governor.