



# State of Tennessee

## PUBLIC CHAPTER NO. 376

### HOUSE BILL NO. 296

By Representatives Freeman, Vaughan, Burkhart, Moon, Grills, Williams, Powell,  
Tim Hicks

Substituted for: Senate Bill No. 723

By Senators Yarbrow, Campbell

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 120, Part 1, relative to inspectors.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-120-118, is amended by adding the following new subsection:

(g) Notwithstanding this section to the contrary, a person entering into employment as a municipal or county building, plumbing, mechanical, or electrical inspector with a jurisdiction that is exempt under § 68-120-101(b)(1)(B), may perform field inspections as of the date of employment, but shall obtain either a commercial or residential certification, or both, in their respective discipline within twelve (12) months of the date of employment.

SECTION 2. Tennessee Code Annotated, Title 68, Chapter 120, Part 1, is amended by adding the following as a new section:

(a)

(1) A local government may, by a majority vote of the appropriate local legislative body, adopt an ordinance or resolution allowing the local government to accept electrical inspections, whether residential or commercial, issued by engineers who are registered in accordance with title 62, chapter 2.

(2) An engineer shall register as an inspector with the state fire marshal in accordance with this section prior to conducting an inspection.

(3) A local government that votes to accept inspections pursuant to subdivision (a)(1) must comply with the requirements of this section.

(b) An inspection performed by an engineer pursuant to this section must be on a form approved by the state fire marshal.

(c) A local government, or the appropriate local governmental official or entity, shall review and approve an inspection performed by an engineer pursuant to this section, or provide written notice of any deficiencies, within five (5) business days from the date the inspection was received by the local government or appropriate local governmental official or entity.

(d)

(1) To register with the state fire marshal, an engineer licensed in accordance with title 62, chapter 2, shall submit to the state fire marshal's office a completed application demonstrating that the engineer is qualified pursuant to subdivision (a)(1), and including such information as determined reasonably necessary by the state fire marshal.

(2)

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(A) The state fire marshal shall publish a list of engineers registered to conduct inspections in accordance with subdivision (d)(1).

(B) An individual registered pursuant to subdivision (d)(1) shall ensure that all information on file with the state fire marshal is current and correct, including the individual's contact information and proof of current registration under title 62, chapter 2.

(e)

(1) The state fire marshal shall remove an individual from the list published pursuant to subdivision (d)(2) if the state fire marshal no longer has on file for the individual a current and valid registration as an engineer in accordance with title 62, chapter 2.

(2) An individual removed from the list pursuant to subdivision (e)(1) may reapply to be registered and placed on the list again.

(f) The state fire marshal may remove a registrant from the list published pursuant to subdivision (d)(2), or refuse to place an applicant on the list, if the state fire marshal finds that the registrant or applicant has violated this section or a rule promulgated pursuant to this section.

(g) A local government shall not accept an inspection from an engineer who has a conflict of interest. A conflict of interest includes, but is not limited to:

(1) Employment or another affiliation with, or a financial interest in, the individual, firm, or corporation engaged in the construction project to be reviewed or inspected; or

(2) A relationship with a family member or individual involved in the construction project that could create the appearance of impropriety.

(h) A local government that accepts an inspection pursuant to this section shall maintain a record of an inspection performed by an engineer for no less than three (3) audit years. A local government shall maintain, at a minimum, the following records:

(1) The inspection report submitted by the engineer to the local government;

(2) The supporting documentation to the inspection report provided by the engineer to the local government;

(3) The documentation of approval of the inspection report by the local government; and

(4) Any correspondence between the local government and the engineer regarding the inspection and inspection report.

**SECTION 3.** This act takes effect upon becoming a law, the public welfare requiring it.

