

RESIDENTIAL BUILDING INSPECTION AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Evan J. Vickers

House Sponsor: Calvin R. Musselman

LONG TITLE

General Description:

This bill amends provisions relating to third-party inspection firms.

Highlighted Provisions:

This bill:

- provides that, if a city does not provide a building inspection within three days, an applicant may engage a third-party inspection firm;
- authorizes a person seeking a building permit to hire a third-party inspection firm to perform an inspection of the person's property at the local regulator's expense;
- establishes a process and standards that govern a local regulator's payment of third-party inspection firm costs;
- requires that a local regulator issue a certificate of occupancy to a building permit applicant after certain requirements have been met;
- exempts a local regulator from liability for any inspection performed by a third-party inspection firm;
- amends provisions relating to disciplinary proceedings for a licensed inspector; and
- defines terms.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

10-6-160, as last amended by Laws of Utah 2021, First Special Session, Chapter 3

15A-1-202, as last amended by Laws of Utah 2021, First Special Session, Chapter 3

28 **17-36-55**, as last amended by Laws of Utah 2021, First Special Session, Chapter 3

29 **58-56-9**, as last amended by Laws of Utah 2018, Chapter 229

30 ENACTS:

31 **15A-1-105**, as Utah Code Annotated 1953

32

33 *Be it enacted by the Legislature of the state of Utah:*

34 Section 1. Section **10-6-160** is amended to read:

35 **10-6-160 . Fees collected for construction approval -- Approval of plans.**

36 (1) As used in this section:

37 (a) "Business day" means a day other than Saturday, Sunday, or a legal holiday.

38 (b) "Construction project" means the same as that term is defined in Section 38-1a-102.

39 (c) "Lodging establishment" means a place providing temporary sleeping
40 accommodations to the public, including any of the following:

41 (i) a bed and breakfast establishment;

42 (ii) a boarding house;

43 (iii) a dormitory;

44 (iv) a hotel;

45 (v) an inn;

46 (vi) a lodging house;

47 (vii) a motel;

48 (viii) a resort; or

49 (ix) a rooming house.

50 (d) "Planning review" means a review to verify that a city has approved the following
51 elements of a construction project:

52 (i) zoning;

53 (ii) lot sizes;

54 (iii) setbacks;

55 (iv) easements;

56 (v) curb and gutter elevations;

57 (vi) grades and slopes;

58 (vii) utilities;

59 (viii) street names;

60 (ix) defensible space provisions and elevations, if required by the Utah Wildland

61 Urban Interface Code adopted under Section 15A-2-103; and

- 62 (x) subdivision.
- 63 (e) (i) "Plan review" means all of the reviews and approvals of a plan that a city
64 requires to obtain a building permit from the city with a scope that may not exceed
65 a review to verify:
- 66 (A) that the construction project complies with the provisions of the State
67 Construction Code under Title 15A, State Construction and Fire Codes Act;
 - 68 (B) that the construction project complies with the energy code adopted under
69 Section 15A-2-103;
 - 70 (C) that the construction project received a planning review;
 - 71 (D) that the applicant paid any required fees;
 - 72 (E) that the applicant obtained final approvals from any other required reviewing
73 agencies;
 - 74 (F) that the construction project complies with federal, state, and local storm water
75 protection laws;
 - 76 (G) that the construction project received a structural review;
 - 77 (H) the total square footage for each building level of finished, garage, and
78 unfinished space; and
 - 79 (I) that the plans include a printed statement indicating that the actual construction
80 will comply with applicable local ordinances and the state construction codes.
- 81 (ii) "Plan review" does not mean a review of a document:
- 82 (A) required to be re-submitted for a construction project other than a construction
83 project for a one to two family dwelling or townhome if additional
84 modifications or substantive changes are identified by the plan review;
 - 85 (B) submitted as part of a deferred submittal when requested by the applicant and
86 approved by the building official; or
 - 87 (C) that, due to the document's technical nature or on the request of the applicant,
88 is reviewed by a third party.
- 89 (f) "State Construction Code" means the same as that term is defined in Section
90 15A-1-102.
- 91 (g) "State Fire Code" means the same as that term is defined in Section 15A-1-102.
- 92 (h) "Structural review" means:
- 93 (i) a review that verifies that a construction project complies with the following:
94 (A) footing size and bar placement;
95 (B) foundation thickness and bar placement;

- 96 (C) beam and header sizes;
- 97 (D) nailing patterns;
- 98 (E) bearing points;
- 99 (F) structural member size and span; and
- 100 (G) sheathing; or
- 101 (ii) if the review exceeds the scope of the review described in Subsection (1)(h)(i), a
- 102 review that a licensed engineer conducts.
- 103 (i) "Technical nature" means a characteristic that places an item outside the training and
- 104 expertise of an individual who regularly performs plan reviews.
- 105 (2) (a) If a city collects a fee for the inspection of a construction project, the city shall
- 106 ensure that the construction project receives a prompt inspection as described in
- 107 Subsection (2)(b).
- 108 (b) If a city cannot provide a building inspection within three business days after the day
- 109 on which the city receives the request for the inspection, [~~the city shall promptly~~
- 110 ~~engage an independent inspector with fees collected from the applicant]~~ the building
- 111 permit applicant may engage a third-party inspection firm from the third-party
- 112 inspection firm list described in Section 15A-1-105.
- 113 (c) Notwithstanding Subsection (2)(b), if an applicant requests that an inspection take
- 114 place on a date that is more than three days from the day on which the applicant
- 115 requests the inspection, the city shall conduct the inspection on the date requested.
- 116 [(e)] (d) If an inspector identifies one or more violations of the State Construction Code
- 117 or State Fire Code during an inspection, the inspector shall give the permit holder
- 118 written notification that:
- 119 (i) identifies each violation;
- 120 (ii) upon request by the permit holder, includes a reference to each applicable
- 121 provision of the State Construction Code or State Fire Code; and
- 122 (iii) is delivered:
- 123 (A) in hardcopy or by electronic means; and
- 124 (B) the day on which the inspection occurs.
- 125 (3) (a) A city shall complete a plan review of a construction project for a one to two
- 126 family dwelling or townhome by no later than 14 business days after the day on
- 127 which the applicant submits a complete building permit application to the city.
- 128 (b) A city shall complete a plan review of a construction project for a residential
- 129 structure built under the International Building Code, not including a lodging

- 130 establishment, by no later than 21 business days after the day on which the applicant
131 submits a complete building permit application to the city.
- 132 (c) (i) Subject to Subsection (3)(c)(ii), if a city does not complete a plan review
133 before the time period described in Subsection (3)(a) or (b) expires, an applicant
134 may request that the city complete the plan review.
- 135 (ii) If an applicant makes a request under Subsection (3)(c)(i), the city shall perform
136 the plan review no later than:
- 137 (A) for a plan review described in Subsection (3)(a), 14 days from the day on
138 which the applicant makes the request; or
- 139 (B) for a plan review described in Subsection (3)(b), 21 days from the day on
140 which the applicant makes the request.
- 141 (d) An applicant may:
- 142 (i) waive the plan review time requirements described in this Subsection (3); or
143 (ii) with the city's consent, establish an alternative plan review time requirement.
- 144 (4) A city may not enforce a requirement to have a plan review if:
- 145 (a) the city does not complete the plan review within the time period described in
146 Subsection (3)(a) or (b); and
- 147 (b) a licensed architect or structural engineer, or both when required by law, stamps the
148 plan.
- 149 (5) (a) A city may attach to a reviewed plan a list that includes:
- 150 (i) items with which the city is concerned and may enforce during construction; and
151 (ii) building code violations found in the plan.
- 152 (b) A city may not require an applicant to redraft a plan if the city requests minor
153 changes to the plan that the list described in Subsection (5)(a) identifies.
- 154 (c) A city may only require a single resubmittal of plans for a one or two family
155 dwelling or townhome if the resubmission is required to address deficiencies
156 identified by a third-party review of a geotechnical report or geological report.
- 157 (6) If a city charges a fee for a building permit, the city may not refuse payment of the fee
158 at the time the applicant submits a building permit application under Subsection (3).
- 159 (7) A city may not limit the number of building permit applications submitted under
160 Subsection (3).
- 161 (8) For purposes of Subsection (3), a building permit application is complete if the
162 application contains:
- 163 (a) the name, address, and contact information of:

- 164 (i) the applicant; and
165 (ii) the construction manager/general contractor, as defined in Section 63G-6a-103,
166 for the construction project;
- 167 (b) a site plan for the construction project that:
- 168 (i) is drawn to scale;
169 (ii) includes a north arrow and legend; and
170 (iii) provides specifications for the following:
- 171 (A) lot size and dimensions;
172 (B) setbacks and overhangs for setbacks;
173 (C) easements;
174 (D) property lines;
175 (E) topographical details, if the slope of the lot is greater than 10%;
176 (F) retaining walls;
177 (G) hard surface areas;
178 (H) curb and gutter elevations as indicated in the subdivision documents;
179 (I) utilities, including water meter and sewer lateral location;
180 (J) street names;
181 (K) driveway locations;
182 (L) defensible space provisions and elevations, if required by the Utah Wildland
183 Urban Interface Code adopted under Section 15A-2-103; and
184 (M) the location of the nearest hydrant;
- 185 (c) construction plans and drawings, including:
- 186 (i) elevations, only if the construction project is new construction;
187 (ii) floor plans for each level, including the location and size of doors and windows;
188 (iii) foundation, structural, and framing detail; and
189 (iv) electrical, mechanical, and plumbing design;
- 190 (d) documentation of energy code compliance;
191 (e) structural calculations, except for trusses;
192 (f) a geotechnical report, including a slope stability evaluation and retaining wall design,
193 if:
194 (i) the slope of the lot is greater than 15%; and
195 (ii) required by the city; and
196 (g) a statement indicating that actual construction will comply with applicable local
197 ordinances and building codes.

198 Section 2. Section **15A-1-105** is enacted to read:

199 **15A-1-105 . Third-party inspection firms.**

200 (1) As used in this section:

201 (a) "Building permit applicant" means a person who applies to a local regulator for a
202 building permit.

203 (b) "Inspection" means a physical examination of all aspects of a structure to ensure
204 compliance with the State Construction Code.

205 (c) "Local regulator" means the same as that terms is defined in Section 15A-1-102.

206 (d) "Third-party inspection firm" means an entity that is:

207 (i) licensed under Title 58, Chapter 56, Building Inspector and Factory Built Housing
208 Licensing;

209 (ii) independent, but may include a building inspector for an adjacent city or county;
210 and

211 (iii) included on the local regulator's third-party inspection firm list.

212 (e) "Third-party inspection firm list" means a list of:

213 (i) for a first, second, third, or fourth class county, or a municipality located within a
214 first, second, third, or fourth class county, three or more third-party inspection
215 firms approved by the local regulator; or

216 (ii) for a fifth or sixth class county, or a municipality located within a fifth or sixth
217 class county, one or more third-party inspection firms approved by the local
218 regulator.

219 (2) (a) Subject to the provisions of this section and Subsections 10-6-160(2) and

220 17-36-55(2), after submitting a request for inspection, a building permit applicant
221 may engage a third-party inspection firm from the local regulator's third-party
222 inspection firm list to conduct or complete an inspection for the scope of work
223 identified under the original request for inspection.

224 (b) If a building permit applicant wishes to engage a third-party inspection firm in
225 accordance with Subsection (2)(a), the building permit applicant shall first notify the
226 local regulator of the third-party inspection firm the building permit applicant intends
227 to engage.

228 (c) Upon completing the inspection, the third-party inspection firm shall submit the
229 inspection report to the local regulator.

230 (d) (i) The local regulator shall pay the cost of the inspection to the third-party
231 inspection firm after the local regulator receives the third-party inspection report

- 232 indicating the third-party inspection firm completed the inspection.
- 233 (ii) This section does not require a local regulator to pay for an inspection that
- 234 exceeds the scope of work identified under the original request for inspection.
- 235 (3) (a) The local regulator shall issue a certificate of occupancy to the building permit
- 236 applicant if the third-party inspection firm:
- 237 (i) completes the inspection; and
- 238 (ii) submits the inspection report to the local regulator.
- 239 (b) The local regulator shall promptly issue the certificate of occupancy or letter of
- 240 completion after the third-party inspection firm submits the final inspection report to
- 241 the local regulator as described in Subsection (3)(a)(ii).
- 242 (4) A local regulator is not liable for any inspection performed by a third-party inspection
- 243 firm.

244 Section 3. Section **15A-1-202** is amended to read:

245 **15A-1-202 . Definitions.**

246 As used in this chapter:

- 247 (1) "Agricultural use" means a use that relates to the tilling of soil and raising of crops, or
- 248 keeping or raising domestic animals.
- 249 (2) (a) "Approved code" means a code, including the standards and specifications
- 250 contained in the code, approved by the division under Section 15A-1-204 for use by a
- 251 compliance agency.
- 252 (b) "Approved code" does not include the State Construction Code.
- 253 (3) "Building" means a structure used or intended for supporting or sheltering any use or
- 254 occupancy and any improvements attached to it.
- 255 (4) "Building permit applicant" means the same as that term is defined in Section 15A-1-105.
- 256 [~~(4)~~] (5) "Code" means:
- 257 (a) the State Construction Code; or
- 258 (b) an approved code.
- 259 [~~(5)~~] (6) "Commission" means the Uniform Building Code Commission created in Section
- 260 15A-1-203.
- 261 [~~(6)~~] (7) "Compliance agency" means:
- 262 (a) an agency of the state or any of its political subdivisions which issues permits for
- 263 construction regulated under the codes;
- 264 (b) any other agency of the state or its political subdivisions specifically empowered to
- 265 enforce compliance with the codes; [~~or~~]

- 266 (c) a third-party inspection firm as defined in Section 15A-1-105; or
267 [(e)] (d) any other state agency which chooses to enforce codes adopted under this
268 chapter by authority given the agency under a title other than this part and Part 3,
269 Factory Built Housing and Modular Units Administration Act.
- 270 [(7)] (8) "Construction code" means standards and specifications published by a nationally
271 recognized code authority for use in circumstances described in Subsection 15A-1-204
272 (1), including:
273 (a) a building code;
274 (b) an electrical code;
275 (c) a residential one and two family dwelling code;
276 (d) a plumbing code;
277 (e) a mechanical code;
278 (f) a fuel gas code;
279 (g) an energy conservation code;
280 (h) a swimming pool and spa code; and
281 (i) a manufactured housing installation standard code.
- 282 [(8)] (9) "Construction project" means the same as that term is defined in Section 38-1a-102.
- 283 [(9)] (10) "Executive director" means the executive director of the Department of
284 Commerce.
- 285 [(10)] (11) "Legislative action" includes legislation that:
286 (a) adopts a new State Construction Code;
287 (b) amends the State Construction Code; or
288 (c) repeals one or more provisions of the State Construction Code.
- 289 [(11)] (12) "Local regulator" means a political subdivision of the state that is empowered to
290 engage in the regulation of construction, alteration, remodeling, building, repair, and
291 other activities subject to the codes.
- 292 [(12)] (13) "Membrane-covered frame structure" means a nonpressurized building with a
293 structure composed of a rigid framework to support a tensioned membrane that provides
294 a weather barrier.
- 295 [(13)] (14) "Not for human occupancy" means use of a structure for purposes other than
296 protection or comfort of human beings, but allows people to enter the structure for:
297 (a) maintenance and repair; and
298 (b) the care of livestock, crops, or equipment intended for agricultural use which are
299 kept there.

300 [(14)] (15) "Opinion" means a written, nonbinding, and advisory statement issued by the
301 commission concerning an interpretation of the meaning of the codes or the application
302 of the codes in a specific circumstance issued in response to a specific request by a party
303 to the issue.

304 [(15)] (16) "Remote yurt" means a membrane-covered frame structure that:

- 305 (a) is no larger than 710 square feet;
- 306 (b) is not used as a permanent residence;
- 307 (c) is located in an unincorporated county area that is not zoned for residential,
308 commercial, industrial, or agricultural use;
- 309 (d) does not have plumbing or electricity;
- 310 (e) is set back at least 300 feet from any river, stream, lake, or other body of water; and
- 311 (f) is registered with the local health department.

312 [(16)] (17) "State regulator" means an agency of the state which is empowered to engage in
313 the regulation of construction, alteration, remodeling, building, repair, and other
314 activities subject to the codes adopted pursuant to this chapter.

315 Section 4. Section **17-36-55** is amended to read:

316 **17-36-55 . Fees collected for construction approval -- Approval of plans.**

317 (1) As used in this section:

- 318 (a) "Business day" means a day other than Saturday, Sunday, or a legal holiday.
- 319 (b) "Construction project" means the same as that term is defined in Section 38-1a-102.
- 320 (c) "Lodging establishment" means a place providing temporary sleeping
321 accommodations to the public, including any of the following:
 - 322 (i) a bed and breakfast establishment;
 - 323 (ii) a boarding house;
 - 324 (iii) a dormitory;
 - 325 (iv) a hotel;
 - 326 (v) an inn;
 - 327 (vi) a lodging house;
 - 328 (vii) a motel;
 - 329 (viii) a resort; or
 - 330 (ix) a rooming house.
- 331 (d) "Planning review" means a review to verify that a county has approved the following
332 elements of a construction project:
 - 333 (i) zoning;

- 334 (ii) lot sizes;
- 335 (iii) setbacks;
- 336 (iv) easements;
- 337 (v) curb and gutter elevations;
- 338 (vi) grades and slopes;
- 339 (vii) utilities;
- 340 (viii) street names;
- 341 (ix) defensible space provisions and elevations, if required by the Utah Wildland
- 342 Urban Interface Code adopted under Section 15A-2-103; and
- 343 (x) subdivision.
- 344 (e) (i) "Plan review" means all of the reviews and approvals of a plan that a county
- 345 requires to obtain a building permit from the county with a scope that may not
- 346 exceed a review to verify:
- 347 (A) that the construction project complies with the provisions of the State
- 348 Construction Code under Title 15A, State Construction and Fire Codes Act;
- 349 (B) that the construction project complies with the energy code adopted under
- 350 Section 15A-2-103;
- 351 (C) that the construction project received a planning review;
- 352 (D) that the applicant paid any required fees;
- 353 (E) that the applicant obtained final approvals from any other required reviewing
- 354 agencies;
- 355 (F) that the construction project complies with federal, state, and local storm water
- 356 protection laws;
- 357 (G) that the construction project received a structural review;
- 358 (H) the total square footage for each building level of finished, garage, and
- 359 unfinished space; and
- 360 (I) that the plans include a printed statement indicating that the actual construction
- 361 will comply with applicable local ordinances and the state construction codes.
- 362 (ii) "Plan review" does not mean a review of a document:
- 363 (A) required to be re-submitted for a construction project other than a construction
- 364 project for a one to two family dwelling or townhome if additional
- 365 modifications or substantive changes are identified by the plan review;
- 366 (B) submitted as part of a deferred submittal when requested by the applicant and
- 367 approved by the building official; or

368 (C) that, due to the document's technical nature or on the request of the applicant,
369 is reviewed by a third party.

370 (f) "State Construction Code" means the same as that term is defined in Section
371 15A-1-102.

372 (g) "State Fire Code" means the same as that term is defined in Section 15A-1-102.

373 (h) "Structural review" means:

374 (i) a review that verifies that a construction project complies with the following:

375 (A) footing size and bar placement;

376 (B) foundation thickness and bar placement;

377 (C) beam and header sizes;

378 (D) nailing patterns;

379 (E) bearing points;

380 (F) structural member size and span; and

381 (G) sheathing; or

382 (ii) if the review exceeds the scope of the review described in Subsection (1)(h)(i), a
383 review that a licensed engineer conducts.

384 (i) "Technical nature" means a characteristic that places an item outside the training and
385 expertise of an individual who regularly performs plan reviews.

386 (2) (a) If a county collects a fee for the inspection of a construction project, the county
387 shall ensure that the construction project receives a prompt inspection.

388 (b) If a county cannot provide a building inspection within three business days after the
389 day on which the county receives the request for the inspection, ~~[the county shall~~
390 ~~promptly engage an independent inspector with fees collected from the applicant]~~ the
391 applicant may engage an inspection with a third-party inspection firm from the
392 third-party inspection firm list, as described in Section 15A-1-105.

393 (c) If an inspector identifies one or more violations of the State Construction Code or
394 State Fire Code during an inspection, the inspector shall give the permit holder
395 written notification that:

396 (i) identifies each violation;

397 (ii) upon request by the permit holder, includes a reference to each applicable
398 provision of the State Construction Code or State Fire Code; and

399 (iii) is delivered:

400 (A) in hardcopy or by electronic means; and

401 (B) the day on which the inspection occurs.

- 402 (3) (a) A county shall complete a plan review of a construction project for a one to two
403 family dwelling or townhome by no later than 14 business days after the day on
404 which the applicant submits a complete building permit application to the county.
- 405 (b) A county shall complete a plan review of a construction project for a residential
406 structure built under the International Building Code, not including a lodging
407 establishment, by no later than 21 business days after the day on which the applicant
408 submits a complete building permit application to the county.
- 409 (c) (i) Subject to Subsection (3)(c)(ii), if a county does not complete a plan review
410 before the time period described in Subsection (3)(a) or (b) expires, an applicant
411 may request that the county complete the plan review.
- 412 (ii) If an applicant makes a request under Subsection (3)(c)(i), the county shall
413 perform the plan review no later than:
- 414 (A) for a plan review described in Subsection (3)(a), 14 days from the day on
415 which the applicant makes the request; or
- 416 (B) for a plan review described in Subsection (3)(b), 21 days from the day on
417 which the applicant makes the request.
- 418 (d) An applicant may:
- 419 (i) waive the plan review time requirements described in this Subsection (3); or
420 (ii) with the county's consent, establish an alternative plan review time requirement.
- 421 (4) A county may not enforce a requirement to have a plan review if:
- 422 (a) the county does not complete the plan review within the time period described in
423 Subsection (3)(a) or (b); and
- 424 (b) a licensed architect or structural engineer, or both when required by law, stamps the
425 plan.
- 426 (5) (a) A county may attach to a reviewed plan a list that includes:
- 427 (i) items with which the county is concerned and may enforce during construction;
428 and
- 429 (ii) building code violations found in the plan.
- 430 (b) A county may not require an applicant to redraft a plan if the county requests minor
431 changes to the plan that the list described in Subsection (5)(a) identifies.
- 432 (c) A county may require a single resubmittal of plans for a one or two family dwelling
433 or townhome if the resubmission is required to address deficiencies identified by a
434 third-party review of a geotechnical report or geological report.
- 435 (6) If a county charges a fee for a building permit, the county may not refuse payment of

- 436 the fee at the time the applicant submits a building permit application under Subsection
437 (3).
- 438 (7) A county may not limit the number of building permit applications submitted under
439 Subsection (3).
- 440 (8) For purposes of Subsection (3), a building permit application is complete if the
441 application contains:
- 442 (a) the name, address, and contact information of:
- 443 (i) the applicant; and
- 444 (ii) the construction manager/general contractor, as defined in Section 63G-6a-103,
445 for the construction project;
- 446 (b) a site plan for the construction project that:
- 447 (i) is drawn to scale;
- 448 (ii) includes a north arrow and legend; and
- 449 (iii) provides specifications for the following:
- 450 (A) lot size and dimensions;
- 451 (B) setbacks and overhangs for setbacks;
- 452 (C) easements;
- 453 (D) property lines;
- 454 (E) topographical details, if the slope of the lot is greater than 10%;
- 455 (F) retaining walls;
- 456 (G) hard surface areas;
- 457 (H) curb and gutter elevations as indicated in the subdivision documents;
- 458 (I) utilities, including water meter and sewer lateral location;
- 459 (J) street names;
- 460 (K) driveway locations;
- 461 (L) defensible space provisions and elevations, if required by the Utah Wildland
462 Urban Interface Code adopted under Section 15A-2-103; and
- 463 (M) the location of the nearest hydrant;
- 464 (c) construction plans and drawings, including:
- 465 (i) elevations, only if the construction project is new construction;
- 466 (ii) floor plans for each level, including the location and size of doors and windows;
- 467 (iii) foundation, structural, and framing detail; and
- 468 (iv) electrical, mechanical, and plumbing design;
- 469 (d) documentation of energy code compliance;

- 470 (e) structural calculations, except for trusses;
- 471 (f) a geotechnical report, including a slope stability evaluation and retaining wall design,
- 472 if:
- 473 (i) the slope of the lot is greater than 15%; and
- 474 (ii) required by the county; and
- 475 (g) a statement indicating that actual construction will comply with applicable local
- 476 ordinances and building codes.

477 Section 5. Section **58-56-9** is amended to read:

478 **58-56-9 . Qualifications of inspectors -- Contract for inspection services.**

- 479 (1) An inspector employed by a local regulator, state regulator, or compliance agency to
- 480 enforce the codes shall:
- 481 (a) (i) meet minimum qualifications as established by the division in collaboration
- 482 with the commission;
- 483 (ii) be certified by a nationally recognized organization which promulgates
- 484 construction codes; or
- 485 (iii) pass an examination developed by the division in collaboration with the
- 486 commission;
- 487 (b) be currently licensed by the division as meeting those minimum qualifications; and
- 488 (c) be subject to ~~[revocation or suspension of the inspector's license or being placed on~~
- 489 ~~probation if found guilty of]~~ disciplinary or other action if the licensee engages in
- 490 unlawful or unprofessional conduct.
- 491 (2) A local regulator, state regulator, or compliance agency may contract for the services of
- 492 a licensed inspector not regularly employed by the regulator or agency.
- 493 (3) In accordance with Section 58-1-401, the division may:
- 494 (a) refuse to issue a license to an applicant;
- 495 (b) refuse to renew the license of a licensee;
- 496 (c) revoke, suspend, restrict, or place on probation the license of a licensee;
- 497 (d) issue a public or private reprimand;
- 498 (e) issue a citation to a licensee; and
- 499 (f) issue a cease and desist order.

500 Section 6. **Effective date.**

501 This bill takes effect on May 1, 2024.