

Thomas W. Peterson proposes the following substitute bill:

Building Inspector Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Thomas W. Peterson

LONG TITLE

General Description:

This bill modifies provisions relating to building inspectors.

Highlighted Provisions:

This bill:

- defines terms;
- directs the Uniform Building Code Commission to:
 - collect data pertaining to building inspectors;
 - publish gathered data on an annual basis; and
 - report the data annually to the Legislature;
- expands the scope for the Division of Professional Licensing to spend money from surcharges;
- adds unlawful and unprofessional conduct provisions for licensed building inspectors acting as qualified building officials;
- requires a local regulator to hire or contract with a qualified building official; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

15A-1-105, as enacted by Laws of Utah 2024, Chapter 375

15A-1-202, as last amended by Laws of Utah 2024, Chapters 375, 431

15A-1-203, as last amended by Laws of Utah 2021, Chapters 199, 344

15A-1-209, as last amended by Laws of Utah 2024, Chapter 72

58-56-9, as last amended by Laws of Utah 2024, Chapter 375

58-56-9.1, as enacted by Laws of Utah 2007, Chapter 145

31 **58-56-9.3**, as last amended by Laws of Utah 2018, Chapter 229

32

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

34 Section 1. Section **15A-1-105** is amended to read:

35 **15A-1-105 . Third-party inspection firms.**

36 (1) As used in this section:

37 (a) "Building permit applicant" means ~~[a person]~~ an individual who applies to a local
38 regulator for a building permit.

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

41 (c) "Local regulator" means the same as that terms is defined in Section ~~[15A-1-102]~~
42 15A-1-202.

43 (d) "Third-party inspection firm" means an entity that~~[-is]~~:

44 ~~[(i) licensed under Title 58, Chapter 56, Building Inspector and Factory Built
45 Housing Licensing;]~~

46 ~~[(ii)]~~ (i) employs or contracts with licensed building inspectors to enforce building
47 codes adopted in this title;

48 (ii) is independent, but may include a building inspector for an adjacent city or
49 county; and

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

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

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

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

58 (2)(a) Subject to the provisions of this section and Subsections 10-6-160(2) and 17-36-55

59 (2), after submitting a request for inspection, a building permit applicant may engage
60 a third-party inspection firm from the local regulator's third-party inspection firm list
61 to conduct or complete an inspection for the scope of work identified under the
62 original request for inspection.

63 (b) If a building permit applicant wishes to engage a third-party inspection firm in
64 accordance with Subsection (2)(a), the building permit applicant shall first notify the

65 local regulator of the third-party inspection firm the building permit applicant intends
66 to engage.

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

69 (d)(i) The local regulator shall pay the cost of the inspection to the third-party
70 inspection firm after the local regulator receives the third-party inspection report
71 indicating the third-party inspection firm completed the inspection.

72 (ii) This section does not require a local regulator to pay for an inspection that
73 exceeds the scope of work identified under the original request for inspection.

74 (3)(a) The local regulator shall issue a certificate of occupancy to the building permit
75 applicant if the third-party inspection firm:

76 (i) completes the inspection; and

77 (ii) submits the inspection report to the local regulator.

78 (b) The local regulator shall promptly issue the certificate of occupancy or letter of
79 completion after the third-party inspection firm submits the final inspection report to
80 the local regulator as described in Subsection (3)(a)(ii).

81 (4) A local regulator is not liable for any inspection performed by a third-party inspection
82 firm.

83 Section 2. Section **15A-1-202** is amended to read:

84 **15A-1-202 . Definitions.**

85 As used in this chapter:

86 (1) "Agricultural use" means a use that relates to the tilling of soil and raising of crops, or
87 keeping or raising domestic animals.

88 (2)(a) "Approved code" means a code, including the standards and specifications
89 contained in the code, approved by the division under Section 15A-1-204 for use by a
90 compliance agency.

91 (b) "Approved code" does not include the State Construction Code.

92 (3) "Building" means a structure used or intended for supporting or sheltering any use or
93 occupancy and any improvements attached to it.

94 (4) "Building permit applicant" means the same as that term is defined in Section 15A-1-105.

95 (5) "Code" means:

96 (a) the State Construction Code; or

97 (b) an approved code.

98 (6) "Commission" means the Uniform Building Code Commission created in Section

- 99 15A-1-203.
- 100 (7) "Compliance agency" means:
- 101 (a) an agency of the state or any of its political subdivisions [~~which~~] that issues permits
- 102 for construction regulated under the codes;
- 103 (b) any other agency of the state or its political subdivisions specifically empowered to
- 104 enforce compliance with the codes;
- 105 (c) a third-party inspection firm as defined in Section 15A-1-105; or
- 106 (d) any other state agency [~~which~~] that chooses to enforce codes adopted under this
- 107 chapter by authority given the agency under a title other than this part and Part 3,
- 108 Factory Built Housing and Modular Units Administration Act.
- 109 (8) "Construction code" means standards and specifications published by a nationally
- 110 recognized code authority for use in circumstances described in Subsection 15A-1-204
- 111 (1), including:
- 112 (a) a building code;
- 113 (b) an electrical code;
- 114 (c) a residential one and two family dwelling code;
- 115 (d) a plumbing code;
- 116 (e) a mechanical code;
- 117 (f) a fuel gas code;
- 118 (g) an energy conservation code;
- 119 (h) a swimming pool and spa code;
- 120 (i) a manufactured housing installation standard code; and
- 121 (j) Modular Building Institute Standards 1200 and 1205, issued by the International
- 122 Code Council, except as specifically modified by provisions of this title governing
- 123 modular units.
- 124 (9) "Construction project" means the same as that term is defined in Section 38-1a-102.
- 125 (10) "Executive director" means the executive director of the Department of Commerce.
- 126 (11) "Legislative action" includes legislation that:
- 127 (a) adopts a new State Construction Code;
- 128 (b) amends the State Construction Code; or
- 129 (c) repeals one or more provisions of the State Construction Code.
- 130 (12)(a) "Local regulator" means a political subdivision of the state that employs or
- 131 contracts a qualified building official and is empowered to engage in the regulation of
- 132 construction, alteration, remodeling, building, repair, installation, inspection, or other

- 133 activities subject to the codes.
- 134 (b) "Local regulator" [~~may include~~] includes the local regulator's designee.
- 135 (13) "Membrane-covered frame structure" means a nonpressurized building with a structure
136 composed of a rigid framework to support a tensioned membrane that provides a
137 weather barrier.
- 138 (14) "Not for human occupancy" means use of a structure for purposes other than protection
139 or comfort of human beings, but allows people to enter the structure for:
- 140 (a) maintenance or repair; or
- 141 (b) the care of livestock, crops, or equipment intended for agricultural use which are
142 kept there.
- 143 (15) "Opinion" means a written, nonbinding, and advisory statement issued by the
144 commission concerning an interpretation of the meaning of the codes or the application
145 of the codes in a specific circumstance issued in response to a specific request by a party
146 to the issue.
- 147 (16) "Qualified building official" means an individual who:
- 148 (a) has at least six years of experience as an architect, engineer, inspector, plan
149 examiner, contractor or superintendent of construction, or any combination of these;
- 150 (b) is actively licensed as a combination inspector in accordance with Section 58-56-9;
151 and
- 152 (c) has completed 40 hours of management training as established by the division in rule
153 or is a certified building official.
- 154 [(16)] (17) "Remote yurt" means a membrane-covered frame structure that:
- 155 (a) is no larger than 710 square feet;
- 156 (b) is not used as a permanent residence;
- 157 (c) is located in an unincorporated county area that is not zoned for residential,
158 commercial, industrial, or agricultural use;
- 159 (d) does not have plumbing or electricity;
- 160 (e) is set back at least 300 feet from any river, stream, lake, or other body of water; and
- 161 (f) is registered with the local health department.
- 162 [(17)] (18) "State regulator" means an agency of the state [~~which~~] that is empowered to
163 engage in the regulation of construction, alteration, remodeling, building, repair, and
164 other activities subject to the codes adopted pursuant to this chapter.

165 Section 3. Section **15A-1-203** is amended to read:

166 **15A-1-203 . Uniform Building Code Commission -- Unified Code Analysis**

167 **Council.**

- 168 (1) There is created a Uniform Building Code Commission to advise the division with
 169 respect to the division's responsibilities in administering the codes.
- 170 (2) The commission shall consist of 13 members as follows:
- 171 (a) one member shall be a heating, ventilation, and air conditioning contractor licensed
 172 by the state;
- 173 (b) one member shall be a licensed building inspector nominated by the Utah League of
 174 Cities and Towns;
- 175 (c) one member shall be a licensed professional engineer;
- 176 (d) one member shall be a licensed architect;
- 177 (e) one member shall be:
- 178 (i) a licensed architect who specializes in residential architecture; or
 179 (ii) a residential home designer;
- 180 (f) one member shall be a member of an association of building owners;
- 181 (g) one member shall be a fire official;
- 182 (h) four members shall be contractors licensed by the state, of which:
- 183 (i) two shall be general contractors, one of which shall specialize in residential
 184 construction;
- 185 (ii) one shall be an electrical contractor; and
 186 (iii) one shall be a plumbing contractor;
- 187 (i) one member shall be from the general public and have no affiliation with the
 188 construction industry or real estate development industry; and
- 189 (j) one member shall be from the Division of Facilities Construction and Management of
 190 the Department of Government Operations.
- 191 (3)(a) The executive director shall appoint each commission member after submitting a
 192 nomination to the governor for confirmation or rejection.
- 193 (b)(i) If the governor rejects a nominee, the executive director shall submit an
 194 alternative nominee until the governor confirms the nomination.
- 195 (ii) An appointment is effective after the governor confirms the nomination.
- 196 (4)(a) Except as required by Subsection (4)(b), as terms of commission members expire,
 197 the executive director shall appoint each new commission member or reappointed
 198 commission member [tø] for a four-year term.
- 199 (b) [~~Notwithstanding the requirements of Subsection (4)(a), the~~] The executive director
 200 shall adjust, at the time of appointment or reappointment, [~~adjust~~] the length of terms

- 201 to ensure that the terms of commission members are staggered so that approximately
202 half of the commission is appointed every two years.
- 203 (5) When a vacancy occurs in the commission membership for any reason, the executive
204 director shall appoint a replacement for the unexpired term.
- 205 (6)(a) A commission member may not serve more than two full terms.
- 206 (b) A commission member who ceases to serve may not again serve on the commission
207 until after the expiration of two years after the day on which service ceased.
- 208 (7) A majority of the commission members constitute a quorum and may act on behalf of
209 the commission.
- 210 (8) A commission member may not receive compensation or benefits for the commission
211 member's service, but may receive per diem and travel expenses in accordance with:
- 212 (a) Section 63A-3-106;
- 213 (b) Section 63A-3-107; and
- 214 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
215 63A-3-107.
- 216 (9)(a) The commission shall [~~annually designate~~] designate annually one of the
217 commission's members to serve as chair of the commission.
- 218 (b) The division shall provide a secretary to facilitate the function of the commission and
219 to record the commission's actions and recommendations.
- 220 (10) The commission shall:
- 221 (a) in accordance with Section 15A-1-204, report to the Business and Labor Interim
222 Committee;
- 223 (b) act as an appeals board as provided in Section 15A-1-207;
- 224 (c) establish advisory peer committees on either a standing or ad hoc basis to advise the
225 commission with respect to matters related to a code, including a committee to advise
226 the commission regarding health matters related to a plumbing code; [~~and~~]
- 227 (d) assist the division in overseeing code-related training in accordance with Section
228 15A-1-209[.];
- 229 (e) collect, with the assistance of the division, data related to the building inspection
230 process, including building code interpretation and enforcement, throughout the state
231 through the following methods:
- 232 (i) surveying and interviewing stakeholders;
- 233 (ii) visiting building sites and building departments; and
- 234 (iii) any other reasonable data collection method;

- 235 (f) use the data outlined in Subsection (10)(e) to:
- 236 (i) issue guidance to the division for providing education using surcharges described
- 237 in Subsection 15A-1-209(5);
- 238 (ii) issue opinions regarding the proper interpretation of commonly disputed code
- 239 items;
- 240 (iii) send letters of concern to local regulators, building officials, third-party firms,
- 241 and contractors who are found to be incorrectly interpreting, enforcing, or
- 242 complying with code; and
- 243 (iv) issue a publicly available report annually, before October 1, on the performance
- 244 of local regulators within the state on the following:
- 245 (A) interpreting and enforcing of the building code consistent with this chapter;
- 246 (B) interpreting code for all building permit applicants and all inspectors
- 247 consistently and equitably;
- 248 (C) following consistent and equitable building inspection processes for all permit
- 249 holders and across all inspectors;
- 250 (D) meeting inspection timelines as described in Subsection 10-6-160(2);
- 251 (E) responding to building permit applicants in a timely manner;
- 252 (F) maintaining adequate training, oversight, and use of employed and contracted
- 253 qualified building inspectors; and
- 254 (G) employing or contracting with a qualified building inspector;
- 255 (g) annually make a summary of data collected in accordance with Subsection (10)(f)
- 256 publicly available through the Division of Professional Licensing; and
- 257 (h) annually present the report described in Subsection (10)(f)(iv) and the summary
- 258 required in Subsection (10)(g), to the Business and Labor Interim Committee before
- 259 October 1.
- 260 (11)(a) In a manner consistent with Subsection (10)(c), the commission shall [~~jointly~~
- 261 ~~create~~] create jointly with the Utah Fire Prevention Board an advisory peer committee
- 262 known as the ["Unified Code Analysis Council"] to review fire prevention and
- 263 construction code issues that require definitive and specific analysis.
- 264 (b) The commission and Utah Fire Prevention Board shall provide jointly, by rule made
- 265 in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, [~~provide~~]
- 266 ~~provide~~] for:
- 267 (i) the appointment of members to the Unified Code Analysis Council; and
- 268 (ii) procedures followed by the Unified Code Analysis Council.

269 Section 4. Section **15A-1-209** is amended to read:

270 **15A-1-209 . Building permit requirements -- Geologic, fault hazard, or**
271 **geotechnical report.**

272 (1) As used in this section, "project" means a "construction project" as defined in Section
273 38-1a-102.

274 (2)(a) The division shall develop a standardized building permit numbering system for
275 use by any compliance agency in the state that issues a permit for construction.

276 (b) The standardized building permit numbering system described under Subsection
277 (2)(a) shall include a combination of alpha or numeric characters arranged in a format
278 acceptable to the compliance agency.

279 (c) A compliance agency issuing a permit for construction shall use the standardized
280 building permit numbering system described under Subsection (2)(a).

281 (d) A compliance agency may not use a numbering system other than the system
282 described under Subsection (2)(a) to define a building permit number.

283 (3)(a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
284 the division shall adopt a standardized building permit form by rule.

285 (b) The standardized building permit form created under this Subsection (3) shall
286 include fields for indicating the following information:

287 (i) the name and address of the owner of each parcel of property on which the project
288 will occur;

289 (ii) the name and address of the contractor for the project;

290 (iii)(A) the address of the project; or

291 (B) a general description of the project;

292 (iv) the county in which the property on which the project will occur is located;

293 (v) the tax parcel identification number of each parcel of the property; and

294 (vi) ~~whether~~ the permit ~~applicant is~~ applicant's role as an original contractor or
295 owner-builder.

296 (c) The standardized building permit form created under this Subsection (3) may include
297 any other information the division considers useful.

298 (d) A compliance agency shall issue a permit for construction only on a standardized
299 building permit form approved by the division.

300 (e) A permit for construction issued by a compliance agency under Subsection (3)(d)
301 shall print the standardized building permit number assigned under Subsection (2) in
302 the upper right-hand corner of the building permit form in at least 12-point font.

- 303 (f)(i) Except as provided in Subsection (3)(f)(ii), a compliance agency may not issue
304 a permit for construction if the information required by Subsection (3)(b) is not
305 completed on the building permit form.
- 306 (ii) If a compliance agency does not issue a separate permit for different aspects of
307 the same project, the compliance agency may issue a permit for construction
308 without the information required by Subsection (3)(b)(vi).
- 309 (g) A compliance agency may require additional information for the issuance of a permit
310 for construction.
- 311 (4) A local regulator issuing a single-family residential building permit application shall
312 include in the application or attach to the building permit the following notice
313 prominently placed in at least 14-point font: "Decisions relative to this application are
314 subject to review by the chief executive officer of the municipal or county entity issuing
315 the single-family residential building permit and appeal under the International
316 Residential Code as adopted by the Legislature."
- 317 (5)(a) A compliance agency shall:
- 318 (i) charge a 1% surcharge on a building permit the compliance agency issues; and
319 (ii) transmit 85% of the amount collected to the division [~~to be used by the division~~]
320 for use in accordance with Subsection (5)(c).
- 321 (b) The division shall deposit the portion of the surcharge transmitted to the division [
322 ~~shall be deposited~~] as a dedicated credit.
- 323 (c)(i) The division shall use [~~30%~~] 40% of the money received under Subsection
324 (5)(a)(ii) to:
- 325 (A) provide education to building inspectors, and individuals working to become
326 building inspectors, regarding the codes and code amendments under Section
327 15A-1-204 that are adopted, approved, or being considered for adoption or
328 approval[-] ; and
- 329 (B) collect data as outlined in Subsection 15A-1-203(10)(e).
- 330 (ii) The division shall use 10% of the money received under Subsection (5)(a)(ii) to
331 provide education to individuals licensed in construction trades or related
332 professions through a construction trade association or a related professional
333 association.
- 334 (iii) The division shall transmit [~~60%~~] 50% of the money received under Subsection
335 (5)(a)(ii) to the Office of the Property Rights Ombudsman created in Title 13,
336 Chapter 43, Property Rights Ombudsman Act, to provide education and training

337 regarding:

338 (A) the drafting and application of land use laws and regulations; and

339 (B) land use dispute resolution.

340 (6)(a)(i) A compliance agency that receives a geologic report, fault hazard report, or
341 geotechnical report as part of a building permitting process or another
342 infrastructure permitting process shall submit the final report to the Utah
343 Geological Survey within 90 days after the day on which the compliance agency
344 receives the report.

345 (ii)(A) When submitting a report, the compliance agency shall indicate what
346 portion of the report is confidential.

347 (B) ~~[The]~~ In accordance with Subsection 79-3-202(2), the Utah Geological Survey
348 shall keep confidential ~~[those]~~ the portions of the report that the compliance
349 agency indicates are confidential~~[in accordance with Subsection 79-3-202(2)].~~

350 (b)(i) If submitting a physical copy of a report, a compliance agency shall mail or
351 deliver the physical copy of the report to the address shown on the Utah
352 Geological Survey website.

353 (ii) The Utah Geological Survey shall return the physical copy of a report to the
354 compliance agency submitting the report after the Utah Geological Survey
355 completes digital scanning of the report.

356 (c) If submitting a digital copy of a report, a compliance agency shall:

357 (i) submit the digital copy in a form ~~[approved by]~~ the Utah Geological Survey
358 approves; and

359 (ii)(A) submit the digital copy through an online process ~~[approved by]~~ the Utah
360 Geological Survey approves;

361 (B) email the digital copy to an email address provided on the Utah Geological
362 Survey's public website; or

363 (C) mail or deliver the digital copy to the address described in Subsection (6)(b).

364 (d) A compliance agency may include in a contract related to a geologic report, fault
365 hazard report, or geotechnical report, a statement that:

366 (i) the compliance agency shall share a copy of the report with the Utah Geological
367 Survey in accordance with this Subsection (6); and

368 (ii) the Utah Geological Survey may use information in the report as provided in
369 Section 79-3-202 subject to keeping portions of the report confidential as provided
370 in Subsection (6)(a)(ii).

371 (e) A compliance agency may not be held liable for the use or reliance on a geologic
 372 report, fault hazard report, or geotechnical report shared with the Utah Geological
 373 Survey by:

374 (i) the Utah Geological Survey; or

375 (ii) a person ~~[who]~~ that obtains information from the Utah Geological Survey that is
 376 based on the geologic report, fault hazard report, or geotechnical report.

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

378 **58-56-9 . Qualifications of inspectors -- Contract for inspection services.**

379 (1) An inspector employed by a local regulator, state regulator, or compliance agency to
 380 enforce the codes shall:

381 ~~[(a)(i) meet minimum qualifications as established by the division in collaboration
 382 with the commission;]~~

383 ~~[(ii) be certified by a nationally recognized organization which promulgates
 384 construction codes; or]~~

385 ~~[(iii) pass an examination developed by the division in collaboration with the
 386 commission;]~~

387 ~~[(b)]~~ (a) be currently licensed by the division as meeting ~~[those]~~ the minimum
 388 qualifications the division establishes in collaboration with the commission; and

389 ~~[(e)]~~ (b) be subject to disciplinary or other action if the licensee engages in unlawful or
 390 unprofessional conduct.

391 (2) A local regulator, state regulator, or compliance agency may contract for the services of
 392 a licensed inspector not regularly employed by the regulator or agency.

393 (3) In accordance with Section 58-1-401, the division may:

394 (a) refuse to issue a license to an applicant;

395 (b) refuse to renew the license of a licensee;

396 (c) revoke, suspend, restrict, or place on probation the license of a licensee;

397 (d) issue a public or private reprimand;

398 (e) issue a citation to a licensee; and

399 (f) issue a cease and desist order.

400 Section 6. Section **58-56-9.1** is amended to read:

401 **58-56-9.1 . Unlawful conduct.**

402 (1) ~~[Unlawful conduct is as]~~ "Unlawful conduct" means the same as that term is defined
 403 in [Subsection 58-1-501(1) and includes:] Section 58-1-501.

404 (2) "Unlawful conduct" includes:

- 405 [(1)] (a) engaging in the sale of factory built housing without being registered with the
 406 division as a dealer, unless the sale is exempt under Section 58-56-16;
- 407 [(2)] (b) selling factory built housing within the state as a dealer without collecting and
 408 remitting to the division the fee required by Section 58-56-17;
- 409 [(3)] (c) acting as a building inspector or representing oneself to be acting as a building
 410 inspector, unless licensed or exempted from licensure under this chapter or using the
 411 title building inspector or any other description, words, letters, or abbreviation
 412 indicating that the person is a building inspector if the person has not been licensed
 413 under this chapter;
- 414 [(4)] (d) acting as a building inspector beyond the scope of the license held under this
 415 chapter;[-and]
- 416 [(5)] (e) hiring or employing in any manner an unlicensed [person] individual as a
 417 building inspector, unless exempted from licensure under this chapter[-] ; and
 418 (f) as a building official, directing or knowingly allowing an employed or contracted
 419 inspector to perform beyond the scope of the inspector's license held under this
 420 chapter.

421 Section 7. Section **58-56-9.3** is amended to read:

422 **58-56-9.3 . Unprofessional conduct.**

423 (1) [~~Unprofessional conduct is as~~] "Unprofessional conduct" means the same as that term is
 424 defined in [~~Subsection 58-1-501(2) and includes:~~] Section 58-1-501.

425 [(1)] (2) "Unprofessional conduct" includes:

- 426 (a) as a building inspector:
- 427 (i) knowingly failing to inspect or issue correction notices for code violations [~~which~~]
 428 that when left uncorrected would constitute a hazard to the public health and safety;
 429 and
- 430 (ii) [~~and~~] knowingly failing to require [~~that~~] compliance with correction notices[~~are~~
 431 complied with as a building inspector];
- 432 [(2)] (b) the use of alcohol or the illegal use of drugs while performing duties as a
 433 building inspector or at any time to the extent that the inspector is physically or
 434 mentally impaired and unable to effectively perform the duties of an inspector;
- 435 [(3)] (c) gross negligence in the performance of official duties as a building inspector;
- 436 [(4)] (d) the personal use of information or knowingly revealing information to
 437 unauthorized persons when that information has been obtained by a building
 438 inspector as a result of the inspector's employment, work, or position as an inspector;

- 440 [(5)] (e) unlawful acts or practices [~~which~~] that are clearly unethical under generally
441 recognized standards of conduct of a building inspector;
- 442 [(6)] (f) engaging in fraud or knowingly misrepresenting a fact relating to the
443 performance of duties and responsibilities as a building inspector;
- 444 [(7)] (g) a building inspector knowingly failing to require that all plans, specifications,
445 drawings, documents, and reports be stamped by architects, professional engineers,
446 or both as established by law;
- 447 [(8)] (h) a building inspector knowingly failing to report to the division an act or
448 omission of a licensee under [~~Title 58, Chapter 55, Utah Construction Trades~~
449 ~~Licensing Act~~] Chapter 55, Utah Construction Trades Licensing Act, which when left
450 uncorrected constitutes a hazard to public health and safety;
- 451 [(9)] (i) a building inspector knowingly failing to report to the division unlicensed
452 practice persons who are required to be licensed under [~~Title 58, Chapter 55, Utah~~
453 ~~Construction Trades Licensing Act~~] Chapter 55, Utah Construction Trades Licensing
454 Act;
- 455 [(10)] (j) a building inspector's approval of work [~~which~~] that materially varies from
456 approved documents that have been stamped by an architect, professional engineer,
457 or both unless authorized by the licensed architect, professional engineer, or both;
- 458 [(11)] (k) a building inspector failing to produce verification of current licensure and
459 current certifications for the codes upon request of the division, a compliance agency,
460 or a contractor or property owner whose work is being inspected;
- 461 [(12)] (l) a building inspector requiring work that materially varies from the [~~building~~]
462 codes adopted by the state, including amendments;
- 463 (m) a building inspector failing to make reasonable efforts to maintain a current
464 knowledge of amendments to code;
- 465 (n) falsifying inspection reports or purporting to perform an inspection that was not
466 actually performed as a building inspector;
- 467 (o) a building inspector engaging in retaliatory actions against individuals or companies
468 that file complaints or question the local regulator's decisions;
- 469 (p) a building inspector accepting what would reasonably be viewed as a bribe,
470 including monetary, goods, materials, or other benefits in the course of duty;
- 471 (q) any willful, fraudulent, or deceitful act by a licensee, caused by a licensee, or at a
472 licensee's direction that causes material injury to another;
- 473 [(13)] (r) nondelivery of goods or services by a registered dealer [~~which~~] that constitutes a

474 breach of contract by the dealer;
475 [(14)] (s) the failure of a registered dealer to pay a subcontractor or supplier any amounts
476 to which that subcontractor or supplier is legally entitled;[-and]
477 [(15)] (t) any other activity [~~which~~] that is defined as unprofessional conduct by division
478 rule in accordance with the provisions of Title 63G, Chapter 3, Utah Administrative
479 Rulemaking Act[-] ; and
480 (u) a building official knowingly or willfully allowing an inspector contracted or
481 employed within the building official's jurisdiction or firm to engage in the actions
482 listed in Subsections (2)(a) through (2)(t).
483 Section 8. **Effective Date.**
484 This bill takes effect on May 7, 2025.