

Construction Amendments

2027 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Thomas W. Peterson

Sponsor:

LONG TITLE**General Description:**

This bill amends provisions of the construction code.

Highlighted Provisions:

This bill:

- defines "electrical utility contractor";
- establishes the scope of work for the new contractor classification relating to electrical transmission and distribution infrastructure on the utility side of the meter;
- authorizes the Construction Services Commission to make rules further defining the scope of work for electrical utility contractors;
- clarifies licensure requirements and qualifications for certain construction trade license classifications;
- exempts specialty contractors from the general two-year construction industry experience requirement for licensure;
- modifies the authority and limitations of general engineering contractors regarding utility and high-voltage electrical work;
- updates unlawful conduct, citation, and enforcement provisions to conform to recent recodification changes within the Construction Trades Licensing Act;
- repeals obsolete provisions relating to boards, financial responsibility requirements, and minimum division action timelines;
- amends state-specific modifications to the International Energy Conservation Code; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

31 **15A-3-701 (Effective upon governor's approval)**, as last amended by Laws of Utah 2026,
32 Chapter 47

33 **58-55-105 (Effective 01/01/27)**, as repealed and reenacted by Laws of Utah 2026,
34 Chapter 42

35 **58-55-202 (Effective 01/01/27)**, as enacted by Laws of Utah 2026, Chapter 42

36 **58-55-203 (Effective 01/01/27)**, as enacted by Laws of Utah 2026, Chapter 42

37 **58-55-601 (Effective 01/01/27)**, as repealed and reenacted by Laws of Utah 2026,
38 Chapter 42

39 **58-55-604 (Effective 01/01/27)**, as repealed and reenacted by Laws of Utah 2026,
40 Chapter 42

41 **REPEALS:**

42 **58-55-201 (Effective 01/01/27) (Partially Repealed 07/01/27)**, as last amended by Laws
43 of Utah 2024, Chapter 507

44 **58-55-306 (Effective 01/01/27)**, as last amended by Laws of Utah 2013, Chapter 57

45 **58-55-403 (Effective 01/01/27)**, as last amended by Laws of Utah 2000, Chapter 233

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

48 Section 1. Section **15A-3-701** is amended to read:

49 **15A-3-701 (Effective upon governor's approval). General provisions.**

50 The following is adopted as an amendment to the IECC to be applicable statewide:

51 (1) In IECC, Section C405.12 is deleted.

52 (2) In IECC, Section C405.13 is deleted.

53 (3) In IECC, Section C405.15 is deleted.

54 [(1)] (4) In IECC, Section R102.1.1, a new section R102.1.1 is added as follows:

55 "R102.1.1 National Green Building Standard complying with ICC 700-2020 National
56 Green Building Standard and achieving the Gold rating level for the energy efficiency category
57 shall be deemed to exceed the energy efficiency required by this code. The building shall also
58 meet the requirements identified in table N1105.2 and the building thermal envelope efficiency
59 is greater than or equal to levels of efficiency and solar heat gain coefficients (SHGC) in
60 Tables N1102.2.2 and N1102.1.3 of [-]the 2009 IRC."

61 [(2)] (5) In IECC, Section R103.2, all words after the words "herein governed," are deleted and
62 replaced with the following:

63 "Construction documents include all documentation required for building permits shall
64 include only those items specified in Section 10-5-132(8) of the Utah Municipal Code."

65 [(3)] (6) In IECC, Section R303.1.3, the following changes are made:

66 (a) The following is added at the end of the first sentence: "or EN
67 14351-1:2006+A1:2010."

68 (b) The word "accredited" is replaced with "approved" in the third sentence.

69 (c) The following sentence is added after the third sentence: "A conversion factor of
70 5.678 shall be used to convert from U values expressed in SI units: $()/53678=$."

71 (d) After "NFRC 200" the following words are added: "or EN 14351-1:2006+A1:2010",
72 and in the sentence the word "accredited" is replaced with the word "approved."

73 (e) The following new sentence shall be inserted immediately before the last sentence:

74 "Total Energy Transmittance values may be substituted for SHGC, and Luminous
75 Transmission values may be substituted for VT."

76 [(4)] (7) In IECC, Section R303.3, all wording after the first sentence is deleted.

77 [(5)] (8) In IECC, Section R401.2, in the first sentence, the words "Section R401.13.5 and"
78 are deleted.

79 [(6)] (9) In IECC, Section R401.2.5 is deleted.

80 [(7)] (10) In IECC, Section R401.3 Number 7, the words "and the compliance path used" are
81 deleted.

82 [(8)] (11) In IECC Table R402.1.2, the following changes are made:

83 (a) in the column titled "Fenestration U-Factor", the following changes are made:

84 (i) in the row titled "Climate Zone 3", delete 0.30 and replace it with 0.32;

85 (ii) in the row titled "Climate Zone 5 and Marine 4", delete 0.30 and replace it with
86 0.32; and

87 (iii) in the row titled "Climate Zone 6", delete 0.30 and replace it with 0.32;

88 (b) in the column titled "Glazed Fenestration SHGC", the following change is made: in
89 the row titled "Climate Zone 3" delete 0.25 and replace it with 0.35;

90 (c) in the column titled "Climate U-Factor", the following changes are made:

91 (i) in the row titled "Climate Zone 3", delete 0.026 and replace it with 0.030;

92 (ii) in the row titled "Climate Zone 5 and Marine 4", delete 0.024 and replace it with
93 0.026; and

94 (iii) in the row titled "Climate Zone 6", delete 0.024 and replace it with 0.026;

95 (d) in the column titled "Wood Frame Wall U Factor", the following changes are made:

96 (i) in the row titled "Climate Zone 3", delete 0.060 and replace it with 0.060;

97 (ii) in the row titled "Climate Zone 5 and Marine 4", delete 0.045 and replace it with
98 0.060; and

- 99 (iii) in the row titled "Climate Zone 6", delete 0.045 and replace it with 0.060;
- 100 (e) in the column titled "Basement wall U-Factor", the following changes are made:
- 101 (i) in the row titled "Climate Zone 5 and Marine 4", delete 0.050 and replace it with
- 102 0.075; and
- 103 (ii) in the row titled "Climate Zone 6", delete 0.50 and replace it with 0.065; and
- 104 (f) in the column titled "Crawl Space Wall U-Factor", the following changes are made:
- 105 (i) in the row titled "Climate Zone 5 and Marine 4", delete 0.055 and replace it with
- 106 0.078; and
- 107 (ii) in the row titled "Climate Zone 6", delete 0.55 and replace it with 0.065.
- 108 [(9)] (12) In IECC, Table R402.1.3, the following changes are made:
- 109 (a) in the column titled "Fenestration U-Factor", the following changes are made:
- 110 (i) in the row titled "Climate Zone 3", delete 0.30 and replace it with 0.32;
- 111 (ii) in the row titled "Climate Zone 5 and Marine 4", delete 0.30 and replace it with
- 112 0.32; and
- 113 (iii) in the row titled "Climate Zone 6", delete 0.30 and replace it with 0.32;
- 114 (b) in the column titled "Glazed Fenestration SHGC", the following change is made: in
- 115 the row titled "Climate Zone 3" delete 0.25 and replace it with 0.35;
- 116 (c) in the column R-Value the following changes are made:
- 117 (i) in the row titled "Climate Zone 3", delete 49 and replace it with 38;
- 118 (ii) in the row titled "Climate Zone 5 and Marine 4", delete 60 and replace it with 49;
- 119 and
- 120 (iii) in the row titled "Climate Zone 6", delete 60 and replace it with 49;
- 121 (d) in the column titled "Wood Frame Wall R-Value", the following changes are made:
- 122 (i) in the row titled "Climate Zone 3", delete all values and replace with "20+Oci or
- 123 13+5ci or 0+15ci";
- 124 (ii) in the row titled "Climate Zone 5 or Marine 4", delete all values and replace with
- 125 "21+Oci or 15+5ci or 0+15ci"; and
- 126 (iii) in the row titled "Climate Zone 6", delete all values and replace with "21+Oci or
- 127 15+5ci or 0+15ci";
- 128 (e) in the column titled "Basement Wall R-Value", the following changes are made:
- 129 (i) in the row titled "Climate Zone 5 or Marine 4", delete all values and replace with
- 130 "15+Oci or 0+11ci or 11+5ci"; and
- 131 (ii) in the row titled "Climate Zone 6", delete all values and replace with "19+Oci or
- 132 0+13ci or 11+5ci";

(f) in the column titled "Slab R-Value and Depth", the following changes are made:

(i) in the row titled "Climate Zone 3", delete "10ci. 2ft" and replace it with "NR"; and

(ii) in the row titled "Climate Zone 5 and Marine 4", delete "4 ft" and replace it with "2 ft";

(g) in the column titled "Crawl Space Wall R-Value", the following changes are made:

(i) in the row titled "Climate Zone 5 or Marine 4", delete all values and replace with "15+Oci or 0+11ci or 11+5ci"; and

(ii) in the row titled "Climate Zone 6", delete all values and replace with "19+Oci or 0+13ci or 0+11+5ci"; and

(h) in IECC, Table R402.2, in the column titled "MASS WALL R-VALUE", a new footnote "j" is added as follows:

"j Log walls complying with ICC400 and with a minimum average wall thickness of five inches or greater shall be permitted in "Zones 5 through 8" when overall window glazing has a .31 U-factor or lower, minimum heating equipment efficiency is 90 AFUE (gas) or 84 AFUE (oil), and all other component requirements are met."

~~[(10)]~~ (13) In IECC, a new subsection R402.1.5.1 is added as follows:

"R402.1.5.1 RESCheck 2012 Utah Energy Conservation Code. Compliance with section N1102.1.5 (R402.1.5) may be satisfied using the software RESCheck 2012 Utah Energy Conservation Code, which shall satisfy the R-value and U-factor requirements of N1102.1, N1102.2, and N1102.3, provided the following conditions are met:

(a) In Climate Zone 5 and Climate Zone 6 the software result shall show 5% better than code; and

(b) In Climate Zone 3, the software result shall show 5% better than code when software inputs for window U-factor = 0.65 and window SHGC = 0.40, notwithstanding actual windows installed shall conform to requirements of Tables N1102.1.2 (R402.1.2) and N1102.1.3 (R402.1.3)."

~~[(11)]~~ (14) In IECC, Section R402.2.1, a new section is added as follows:

"R402.2.1.1. Unvented attic and unvented enclosed rafter assemblies. Unvented attic and unvented enclosed rafter assemblies conforming to Section R806.5 shall be provided with an R-value of R-22 (maximum U-Factor of 0.045) in Climate Zone 3-B or an R-value of R-26 (maximum U-factor of 0.038) in Climate Zones 5-B and 6-B shall be permitted provided all the following conditions are met:

1. The unvented attic assembly complies with the requirements of the International Residential Code, Section R806.5.

2. The house shall attain a blower door test result 2.5ACH 50.

3. The house shall require a whole house mechanical ventilation system that does not rely solely on a negative pressure strategy (shall be positive, balanced or hybrid).

4. Where insulation is installed below the roof deck and the exposed portion of roof rafters are not already covered by the R-20 depth of the air-impermeable insulation, the exposed portion of the roof rafters shall be wrapped (covered) by minimum R-3 unless directly covered by drywall/finished ceiling. Roof rafters are not required to be covered by minimum R-3 if a continuous insulation is installed above the roof deck.

5. Indoor heating, cooling and ventilation equipment (including ductwork) shall be inside the building thermal envelope."

[(12)] (15) A new IECC, Section R402.2.1.3 is added as follows:

"R402.2.1.3 Walls with Air-Impermeable Insulation. Where IECC Table R402.1.2 requires R-20 for wood framed walls in climate zones 3-B and 5-B or R-20+5CI for climate zone 6-B, an air-impermeable insulation installed in the wall cavity with R-value of R-15 for climate zones 3-B and 5-B or R-20 for climate zone 6-B shall be deemed equivalent to the provisions in IECC Table R402.1.2, provided the home attains a blower door test 2.5ACH."

[(13)] (16) In IECC, Section R402.2.9.1, the numeral "(i)" is added before the words "cut at a 45 degree" and the following is added after the words "exterior wall.": "or (ii) lowered from top of slab 4" when a 4" thermal break material such as, but not limited to, felt or asphalt impregnated fiber board, with a minimum thickness of 1/4" is installed at the upper 4" of slab."

[(14)] (17) In IECC, Section R402.4.1, in the first sentence, the word "and" is deleted and replaced with the word "or."

[(15)] (18) In IECC, Section R402.4.1.1, the second and the last sentences are deleted and replaced with the following:

"Where required by the code official, the builder shall certify compliance with criteria indicated in Table R1102.4.1 for items which are not readily visible during regularly scheduled inspections."

[(16)] (19) In IECC, Table R402.4.1.1 in the column titled "COMPONENT", the following changes are made:

(a) in the row "Rim Joists" the word "exterior" in the first sentence is deleted, and the second sentence is deleted.

(b) In the row "Electrical/phone box on the exterior walls" the last sentence is deleted and replaced with: "Alternatively, close cell foam, caulking or gaskets may be used,

or air sealed boxes may be installed."

~~[(17)]~~ (20) In IECC, Section R402.4.1.2, the following changes are made:

(a) In the fourth sentence, the word "third" is deleted.

(b) The following sentence is added after the fourth sentence:

"The following parties shall be approved to conduct testing: Parties certified by BPI or RESNET, or licensed contractors who have completed training provided by Blower Door Test equipment manufacturers or other comparable training."

(c) In the first Exception, the second sentence is deleted.

~~[(18)]~~ (21) In IECC, Section R402.4.1.3, the following changes are made:

(a) in the first sentence, the words 5.0 air changes per hour in Climate Zones 0, 1 and 2, and 3.0 are deleted and replaced with 4.0., and the words in Climate Zone 3 through 8 are deleted;

(b) in the first sentence of the Exception, 0.28 is replaced with 5.0 air changes per hour or 0.30; and

(c) in Number 2, the words of "conditioned floor area" are inserted before the words "or smaller."

~~[(19)]~~ (22) In IECC, Section R402.6 is deleted.

~~[(20)]~~ (23) In IECC, Section R403.3.1 is deleted and replaced with the following:

"Ducts located outside conditioned space. Supply and return ducts in attics shall be insulated to a minimum of R-8 where three inches (76.2 mm) in diameter and greater and R-6 where less than three inches (76.2 mm) in diameter. Supply and return ducts in other portions of the building shall be insulated to a minimum of R-6 where three inches (76.2 mm) in diameter or greater and R-4.2 where less than three inches (76.2 mm) in diameter. Exception: Ducts or portions thereof located completely inside the building thermal envelope."

~~[(21)]~~ (24) In IECC, Section R403.3.3, is deleted.

~~[(22)]~~ (25) In IECC, Section R403.3.3.1 is deleted.

~~[(23)]~~ (26) In IECC, Section R403.3.5, the following changes are made:

(a) a second Exception is added as follows:

"A duct leakage test shall not be required for any system designed such that no air handlers or ducts are located within unconditioned attics."

(b) the following is added at the end of the section:

"The following parties shall be approved to conduct testing:

(i) Parties certified by ~~[BPT]~~ BPI or RESNET;

(ii) Licensed contractors who have completed training provided by Duct Test

equipment manufacturers or other comparable training."

[(24)] (27) In IECC, Section N1103.3.6 (R403.3.6) the following changes are made:

(a) in Subsection 1:

(i) the number 4.0 is changed to 6.0;

(ii) the number 113.3 is changed to 170;

(iii) the number 3.0 is changed to 5.0; and

(iv) the number 85 is changed to 141;

(b) in Subsection 2:

(i) the number 4.0 is changed to 5.0; and

(ii) the number 113.3 is changed to 141; and

(c) Subsection 3 is deleted.

[(25)] (28) In IECC, Section N1103.3.7 (R403.3.7) the words "or plenums" are deleted.

[(26)] (29) In IECC, Section N1103.5.1.1 (R403.5.1.1) the words "Where installed" are added at the beginning of the first sentence.

[(27)] (30) IECC, Section R403.6.2, is deleted and replaced with the following:

"R403.6.2 Whole-house mechanical ventilation system fan efficacy. Fans used to provide whole-house mechanical ventilation shall meet the efficacy requirements of Table R403.6.2.

Exception: Where an air handler that is integral to tested and listed HVAC equipment is used to provide whole-house mechanical ventilation, the air handler shall be powered by an electronically commutated motor."

[(28)] (31) In IECC, Section R403.6.2, the table is deleted and replaced with the following:

"TABLE R403.6.2

MECHANICAL VENTILATION SYSTEM FAN EFFICACY

FAN LOCATION	AIR FLOW RATE MINIMUM (CFM)	MINIMUM EFFICACY (CFM/WATT)	AIR FLOW RATE MAXIMUM (CFM)
HRV or ERV	Any	1.2 cfm/watt	Any
Range hoods	Any	2.8 cfm/watt	Any
In-line fan	Any	2.8 cfm/watt	Any
Bathroom, utility room	10	1.4 cfm/watt	90
Bathroom, utility room	90	2.8 cfm/watt	Any"

[(29)] (32) In IECC, Section R403.6.3 is deleted.

266 [(30)] (33) In IECC, Section R403.7, the word "approved" is deleted in the first sentence
267 and the following is added after the word "methodologies": "complying with R403.7.1."

268 [(31)] (34) A new IECC, Section R403.7.1, is added as follows:

269 "R403.7.1 Qualifications. An individual performing load calculations shall be qualified
270 by completing HVAC training from one of the following:

- 271 1. HVAC load calculation education from ACCA;
- 272 2. A recognized educational institution;
- 273 3. HVAC equipment manufacturer's training; or
- 274 4. Other recognized industry certification."

275 [(32)] (35) In IECC, Section R404.1, the word "All" is replaced with "Not less than 90
276 percent of the lamps in."

277 [(33)] (36) In IECC, Section R404.1.1 is deleted.

278 [(34)] (37) In IECC, Section R404.2 is deleted.

279 [(35)] (38) In IECC, Section R404.3 is deleted.

280 [(36)] (39) In IECC, Section R405.2 the following changes are made:

- 281 (a) in Subsection 3, the words "approved by the code official" are deleted; and
- 282 (b) in Subsection 3, the following words are added at the end of the sentence: "when
283 applicable and readily available."

284 [(37)] (40) In IECC, Section R406.3 "Building thermal envelope" is deleted, and replaced with
285 the following:

286 "Building thermal envelope and on-site renewables. The proposed total building thermal
287 envelope UA, which is the sum of U-factor times assembly area, shall be less than or equal to
288 the building thermal envelope UA using the prescriptive U-factors [From] from Table
289 N1102.1.2 multiplied by 1.15 in accordance with Equation 11-4. The area-weighted maximum
290 fenestration SHGC permitted in Climate Zones 0 through 3 shall be 0.30.UAProposed design
291 = 1.15 x UAPrescriptive reference design (Equation 11-4)."

292 [(38)] (41) In IECC, Section R406.3.1 is deleted.

293 [(39)] (42) In IECC, Section R406.3.2 is deleted.

294 [(40)] (43) In IECC, Section R406.4 the following changes are made:

- 295 (a) in the first sentence, the words "in accordance with Equation 11-5" are deleted and
296 replaced with: "permitted to be calculated using the minimum total air exchange Rate
297 for the rated home (Qtot) and for the index adjustment factor in accordance with
298 Equation [11.5] 11-5.";
- 299 (b) in equation 11-5, the words "Ventilation rate, CFM" are deleted and replaced with:

"Q_{tot}"; and

(c) in the last sentence, the number "5" is deleted and replaced with "15."

~~[(41)]~~ (44) In IECC, Section R406.5 in the column titled ENERGY RATING INDEX of Table R406.5, the following changes are made:

(a) in the row for Climate Zone 3, "51" is deleted and replaced with "65";

(b) in the row for Climate Zone 5, "55" is deleted and replaced with "69"; and

(c) in the row for Climate Zone 6, "54" is deleted and replaced with "68."

~~[(42)]~~ (45) In IECC, Section R408 is deleted.

~~[(a)(i)]~~

~~[(A)]~~ (46) In IECC, Chapter 6, the standard for ANSI/RESNET/ICC 201-2019 section 4.4.4 is added as follows:

"4.4.4. Air Source Heat Pumps and Air Conditioners. For Heat Pumps and Air Conditioners with the more recent Manufacturers Equipment Performance Ratings (HSPF2 or SEER2) available, and HSPF and SEER are not available, these ratings shall be converted to HSPF and SEER values by dividing HSPF2 or SEER2 by the conversion factors in Table 4.4.4.1(1). If the type of equipment is not determined, the conversion shall default to the Ducted Split System factors. All calculations, including Equation 4.1-1a shall use HSPF or SEER values as made available by the Manufacturer or converted as specified in this section.

Table 4.4.4.1(1) SEER2 and HSPF2 Conversion

Equipment Type	SEER2/SEER	EER2/EER4	HSPF2/HSPF
Ductless Systems	1.00	1.00	0.90
Ducted Split System	0.95	0.95	0.85
Ducted Packaged System	0.95	0.95	0.84
Small Duct High Velocity System	1.00	Not Applicable	0.85
Ducted Space-Conditioned Air Conditioner	0.97	Not Applicable	Not Applicable
Ducted Space-Conditioned Heat Pump	0.99	Not Applicable	0.85"

Section 2. Section **58-55-105** is amended to read:

58-55-105 (Effective 01/01/27). License required.

- (1)(a) A person engaged in a construction trade or acting as a contractor shall obtain a license under this chapter before performing work unless exempt from licensure under Section 58-1-307 or 58-55-110.
- (b) The only licenses required for a licensee to engage in a trade regulated by this chapter are:
- (i) a license issued under this chapter; and
 - (ii) a business license from the local jurisdiction where the licensee maintains the licensee's principal place of business.
- (c) The state or a political subdivision may not impose additional requirements on a licensee to do business except:
- (i) contract prequalification procedures a state agency requires; or
 - (ii) the payment of fees a local jurisdiction makes as a condition for doing business.
- (2)(a) To obtain a license, an applicant shall file an application that includes payment of a fee the division determines in accordance with Section 63J-1-504.
- (b) An applicant may apply for a license for one or more licenses issued in accordance with this chapter.
- (c) The division shall issue each license for which the applicant applies and qualifies.
- (d) The applicant shall submit a separate application and fee for each license.
- (3) With the concurrence of the director and in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the commission may ~~makes~~ make rules to further define the scope of work for:
- (a) an electrical utility contractor as defined in Section 58-55-202;
 - (b) a general building contractor as defined in Section 58-55-202;
 - (c) a general electrical contractor as defined in Section 58-55-202;
 - (d) a general engineering contractor as defined in Section 58-55-202;
 - ~~[(b)]~~ (e) a general plumbing contractor as defined in Section 58-55-202;
 - ~~[(e)]~~ (f) an HVAC contractor as defined in Section 58-55-202;
 - ~~[(d)]~~ (g) a residential electrical contractor as defined in Section 58-55-202; and
 - ~~[(e)]~~ (h) a residential plumbing contractor as defined in Section 58-55-202.

Section 3. Section **58-55-202** is amended to read:

58-55-202 (Effective 01/01/27). Definitions.

As used in this part:

- (1) "Approved pre-licensure course provider" means a provider:
- (a) that is:

- (i) the Associated General Contractors of Utah;
 - (ii) the Utah Chapter of the Associated Builders and Contractors; or
 - (iii) the Utah Home Builders Association; and
- (b) that offers the 25-hour course described in Subsection 58-55-204(1)(c):
- (i) at least six times each year; and
 - (ii) in one or more counties within the state other than Salt Lake County, Utah County, Davis County, or Weber County.

(2)(a) "Electrical utility contractor" means a person that performs or superintends construction trade on the line side of an electrical power transmission and distribution system from the point of generation to the service point or meter, which may include:

- (i) overhead or underground electrical lines;
 - (ii) conductors and cables;
 - (iii) transformers;
 - (iv) switchgear, switches, and protective devices;
 - (v) poles, structures, vaults, and related utility infrastructure; and
 - (vi) street lighting systems and associated equipment.
- (b) "Electrical utility contractor" does not include construction trade relating to the load side of an electrical system.

~~[(2)]~~ (3) "Elevator contractor" means a person that performs or superintends erecting, constructing, installing, altering, servicing, repairing, or maintaining an elevator.

~~[(3)]~~ (4) "First-tier subcontractor" means a subcontractor that contracts directly with the general contractor.

~~[(4)]~~ (5)(a) "General building contractor" means a person that performs or superintends:

- (i) the construction of structures for the support, shelter, or enclosure of individuals, animals, or personal property; or
 - (ii) any of the components of the construction described in Subsection ~~[(4)(a)(i)]~~ (5)(a)(i).
- (b) "General building contractor" does not include construction trade relating to:
- (i) plumbing;
 - (ii) electrical work;
 - (iii) mechanical work;
 - (iv) work related to the operational integrity of an elevator;
 - (v) work related to the installation of manufactured housing; or
 - (vi) work that the division determines by rule the division makes in accordance with

Title 63G, Chapter 3, Utah Administrative Rulemaking Act, poses a substantial risk to the public health, safety, and welfare unless the general building contractor holds a valid license as a specialty contractor for the construction trade.

(c) "General building contractor" includes the mechanical work for the construction of single-family and multifamily residences of up to four units when the mechanical work is performed by a licensed master plumber as defined in Section 58-55-401, a licensed journeyman plumber as defined in Section 58-55-401, a licensed master electrician as defined in Section 58-55-301, or a licensed journeyman electrician as defined in Section 58-55-301 that the general building contractor employs.

~~[(5)]~~ (6) "General electrical contractor" means a person that performs or superintends the fabrication, construction, and installation of generators, transformers, conduits, raceways, panels, switch gear, electrical wires, fixtures, appliances, apparatus that uses electrical energy, or other work the division authorizes by rule in accordance with Subsection 58-55-105(3).

~~[(6)]~~ (7) "General engineering contractor" means a person that performs or superintends the construction of fixed works, or components of fixed works, and has specialized engineering knowledge and skill in:

- (a) airports;
- (b) airport runways;
- (c) bridges;
- (d) chemical plants;
- (e) drainage;
- (f) electrical utilities;
- (g) flood control;
- (h) foundations;
- (i) harbors;
- (j) highways;
- (k) industrial plants;
- (l) inland waterways;
- (m) irrigation systems;
- (n) piers;
- (o) pipelines;
- (p) power plants;
- (q) railroads;

- (r) refineries;
- (s) sewers;
- (t) tunnels;
- (u) underground electric utility conduits;
- (v) utility plants;
- (w) water power; or
- (x) water supply.

~~[(7)]~~ (8) "General plumbing contractor" means a person that performs or superintends the fabrication or installation of material and fixtures to create and maintain sanitary conditions in a building by providing a permanent means for:

- (a) a supply of safe and pure water;
- (b) the timely and complete removal from the premises of used or contaminated water, fluid and semi-fluid organic wastes, and other impurities incidental to life;
- (c) a safe and adequate supply of gas for lighting, heating, and industrial purposes; or
- (d) other work the division authorizes by rule in accordance with Subsection 58-55-105(3).

~~[(8)]~~ (9) "HVAC" means a heating, ventilation, and air conditioning system and the specific components that are a part of the system, including the gas line.

~~[(9)]~~ (10) "HVAC contractor" means a person that performs or superintends the installation, maintenance, repair, and servicing of heating, ventilation, air conditioning systems or any other work the division authorizes by rule in accordance with Subsection 58-55-105(3).

~~[(10)]~~ (11) "Public project" means the contract is with or authorized by a public entity as defined in Section 63G-6a-103.

~~[(11)]~~ (12)(a) "Residential and small commercial contractor" means a person that performs or superintends the construction or supervision of the construction for:

- (i) a single-family residence;
- (ii) a multifamily residence with no more than four units; and
- (iii) a commercial structure that is three stories or less above ground and does not exceed 20,000 square feet.

(b) "Residential and small commercial contractor" does not include:

- (i) plumbing;
- (ii) electrical work;
- (iii) mechanical work;

- (iv) work related to the operational integrity of an elevator;
- (v) construction trade involving the installation of manufactured housing; or
- (vi) work the division determines by rule the division makes in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, poses a substantial risk to the public health, safety, and welfare unless the general building contractor holds a specialty contractor license.

(c) "Residential and small commercial contractor" includes the mechanical work for the construction of single-family and multifamily residences of up to four units when the mechanical work is performed by a licensed electrician as defined in Section 58-55-301 or a licensed plumber as defined in Section 58-55-401 that the residential and small commercial contractor employs.

~~[(12)]~~ (13) "Residential electrical contractor" means a person that performs or superintends:

- (a) the fabrication, construction, and installation of services;
- (b) the disconnection of means, grounding devices, panels, conductors, load centers, lighting and plug circuits, appliances, and fixtures in a residential unit; or
- (c) any other work the division authorizes by rule in accordance with Subsection 58-55-105(3).

~~[(13)]~~ (14) "Residential plumbing contractor" means a person that performs or superintends the fabrication or installation of material and fixtures to create and maintain sanitary conditions in a residential building by providing permanent means for:

- (a) a supply of safe and pure water;
- (b) the timely and complete removal from the premises of used or contaminated water, fluid and semi-fluid organic wastes and other impurities incidental to life;
- (c) a safe and adequate supply of gas for lighting, heating, and residential purposes; or
- (d) other work the division authorizes by rule in accordance with Subsection 58-55-105(3).

~~[(14)]~~ (15) "Second-tier subcontractor" means a subcontractor that contracts with a subcontractor.

~~[(15)]~~ (16) "Specialty contractor" means a person that performs or superintends the construction trades and crafts requiring specialized skill, the regulation of which the division determines to be in the best interest of the public health, safety, and welfare.

~~[(16)]~~ (17)(a) "Subcontractor" means a person under contract with a general contractor or another subcontractor to provide services or labor for the construction, installation, or repair of an improvement to real property.

- 498 (b) "Subcontractor" includes a trade contractor or specialty contractor.
499 (c) "Subcontractor" includes a first-tier subcontractor and a second-tier subcontractor.
500 (d) "Subcontractor" does not include a supplier that provides only materials, equipment,
501 or supplies to a general contractor or subcontractor.
502 (e) "Zero estimated exposure policy" means the same as that term is defined in Section
503 31A-22-1017.

504 Section 4. Section **58-55-203** is amended to read:

505 **58-55-203 (Effective 01/01/27). Qualifications for licensure.**

- 506 (1) Each applicant for a license under this part shall:
507 (a) submit a completed application on a form the division approves;
508 (b) pay the fee the division determines in accordance with Section 63J-1-504;
509 (c) complete a 25-hour pre-licensure course that:
510 (i) is taught by an approved pre-licensure course provider;
511 (ii) meets the requirements the commission makes with the concurrence of the
512 director and by rule in accordance with Title 63G, Chapter 3, Utah Administrative
513 Rulemaking Act; and
514 (iii) provides any offered test free of charge;
515 (d) complete a five-hour business and law course that:
516 (i) is taught by an approved pre-licensure course provider; and
517 (ii) meets the requirements the commission makes with the concurrence of the
518 director and by rule in accordance with Title 63G, Chapter 3, Utah Administrative
519 Rulemaking Act;
520 (e) satisfy examination requirements the commission makes with the concurrence of the
521 director and by rule in accordance with Title 63G, Chapter 3, Utah Administrative
522 Rulemaking Act; and
523 (f) except for an applicant for a construction trades instructor license, provide evidence
524 of:
525 (i) two-years' full-time, paid employment experience in the construction industry; and
526 (ii) knowledge of business practices and principles necessary to protect the public
527 health, safety, and welfare.
528 (2) An applicant for licensure as a construction trades instructor shall satisfy additional
529 requirements the division makes by rule the division makes in accordance with Title
530 63G, Chapter 3, Utah Administrative Rulemaking Act.
531 (3) ~~[An applicant who is a licensed journeyman lineman in another jurisdiction may satisfy~~

Subsection (1)(f)(i) by meeting the requirements the division makes by rule in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.] No employment experience is required for licensure as a specialty contractor.

- (4) A general engineering contractor may not perform or superintend:
- (a) construction of a structure built primarily for the support, shelter, and enclosure of individuals, animals, or personal property;
 - (b) plumbing work;
 - (c) electrical work beyond underground electric utility conduit[~~or electrical utilities~~];
 - (d) high voltage utility work as the division defines by rule the division makes in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, without a journeyman lineman;
 - (e) mechanical work; or
 - (f) work for which the general engineering contractor does not have the required specialized engineering knowledge and skill.
- (5) An applicant for licensure as an HVAC contractor shall submit to the division satisfactory evidence that the applicant:
- (a) completed two-years' full-time, paid employment requiring HVAC specific experience; and
 - (b) passed an examination the commission makes by rule with the director's concurrence and in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- (6) A specialty contractor may perform construction trade other than those in which the specialty contractor is licensed if they are incidental to the performance of the specialty contractor's licensed construction trade.
- (7) An applicant for a contractor license who is a building inspector may satisfy the two-year experience requirement in Subsection (1)(f) by providing evidence of two-years' of full-time, paid employment as a building inspector, including at least one year as a licensed combination inspector.
- (8) Each qualifier shall meet the following additional requirements:
- (a) for residential electrical contractor licensure, the qualifier shall hold a master electrician or master residential electrician license;
 - (b) for electrical contractor licensure, the qualifier shall hold a master electrician license;
 - (c) for residential plumbing contractor licensure, the qualifier shall hold a master plumber license or master residential plumber license;
 - (d) for plumbing contractor licensure, the qualifier shall hold a master plumber license;

- 566 or
- 567 (e) for elevator contractor licensure, the qualifier shall hold an elevator mechanic license
- 568 and provide satisfactory evidence of three-years' experience as an elevator mechanic.
- 569 (9)(a) The qualifier and each individual holding at least a 10% voting interest shall:
- 570 (i) consent to and complete a criminal background check as described in Section
- 571 58-1-301.5;
- 572 (ii) meet the background check standard the division makes by rule the division
- 573 makes in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking
- 574 Act; and
- 575 (iii) disclose criminal history on a form the division approves.
- 576 (b) When the applicant is an unincorporated entity, the applicant shall provide, in
- 577 accordance with Subsection 58-55-112(2), a list of each individual holding an
- 578 ownership interest on the date the applicant applies for licensure.
- 579 (10)(a) Before the division issues a license, the applicant shall file with the division:
- 580 (i)(A) proof of workers' compensation insurance covering the applicant's
- 581 employees; or
- 582 (B) a workers' compensation waiver if the applicant claims to not have any
- 583 employees;
- 584 (ii) proof of public liability insurance in the coverage amounts and form the division
- 585 makes by rule in accordance with Title 63G, Chapter 3, Utah Administrative
- 586 Rulemaking Act; and
- 587 (iii) proof of registration as required by law with:
- 588 (A) the Division of Corporations and Commercial Code;
- 589 (B) the Unemployment Insurance Division in the Department of Workforce
- 590 Services, for purposes of Title 35A, Chapter 4, Employment Security Act;
- 591 (C) the State Tax Commission; and
- 592 (D) the Internal Revenue Service.
- 593 (b) An applicant for licensure as a construction trades instructor is exempt from the
- 594 requirements under this Subsection (10).
- 595 Section 5. Section **58-55-601** is amended to read:
- 596 **58-55-601 (Effective 01/01/27). Unlawful conduct.**
- 597 A person engages in unlawful conduct if the person:
- 598 (1) engages in a construction trade, acts as a contractor, or represents that the person
- 599 engages in a construction trade or acts as a contractor in a trade requiring licensure

without holding a license or qualifying for an exemption under this chapter;

- (2) acts in a construction trade beyond the scope of the license the person holds;
- (3) hires or employs an unlicensed person to perform work that requires a license, unless that person is an employee of a licensed person, paid wages, and is not otherwise required to hold a license;
- (4) applies for or obtains a building permit without holding a license or qualifying for an exemption under this chapter;
- (5) issues a building permit to a person that does not provide evidence of a current license or exemption;
- (6) applies for or obtains a building permit to benefit or assist a person that must hold a license under this chapter but does not hold one or does not otherwise qualify;
- (7) fails to obtain a building permit when required by law or rule;
- (8) submits a bid for work requiring a license without holding a license or qualifying for an exemption;
- (9) willfully or deliberately misrepresents or omits a material fact when applying to obtain or renew a license;
- (10) allows another person to use the person's license, except as permitted by statute or rule;
- (11) does business under a name other than the name on the license, unless statute or rule allows otherwise;
- (12) fails to directly supervise an apprentice electrician or an apprentice plumber or exceeds the permitted number of apprentices to supervisor;
- (13) as a contractor, receives funds from a person to pay for work performed or materials and services provided for a specific project, and after receiving the funds, fails to pay all amounts due to those who performed the work or provided materials or services within a reasonable time;
- (14) willfully or deliberately disregards or violates:
 - (a) state or local building or construction laws;
 - (b) safety and labor laws applicable to a project;
 - (c) health laws applicable to a project;
 - (d) workers' compensation insurance laws;
 - (e) laws governing employee income tax, unemployment tax, Social Security tax, or other required withholdings; or
 - (f) state or federal reporting, notification, and filing laws;
- ~~[(15) engages in residential construction of up to two units without registering as a qualified~~

beneficiary or obtaining an exemption under Title 38, Chapter 11, Residence Lien Restriction and Lien Recovery Fund Act;]

[(16)] (15) as an original contractor, as defined in Section 38-11-102, fails to include the notice required under Section 38-11-108 in a written contract;

[(17)] (16) wrongfully files a preconstruction or construction lien in violation of Section 38-1a-308;

[(18)] (17) as a contractor, fails to complete required continuing education under this chapter;

[(19)] (18) as an unincorporated entity licensed under this chapter:

(a) allows an interest owner to engage in a construction trade in the state while not lawfully present in the United States; or

(b) provides labor to another licensed entity by supplying an interest owner to engage in a construction trade in the state while not lawfully present in the United States;

[(20)] (19) as an unincorporated entity, fails to provide for an individual who engages or will engage in a construction trade in the state:

(a) workers' compensation coverage as required under Title 34A, Chapter 2, Workers' Compensation Act, or Title 34A, Chapter 3, Utah Occupational Disease Act, or as would be required if licensed under this chapter; or

(b) unemployment compensation under Title 35A, Chapter 4, Employment Security Act, for an individual who owns less than an 8% interest in the entity, as defined by rule;

[(21)] (20) as an unincorporated entity:

(a) allows an owner to engage in a construction trade using a social security number that does not belong to that individual; or

(b) provides labor to another licensed entity by supplying an individual who uses a social security number that does not belong to that individual;

[(22)] (21) as a sign installation contractor or nonelectrical outdoor advertising sign contractor, as described by rule the division makes in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, fails to:

(a) prominently display the contractor's business name and license number on a vehicle used for business; or

(b) carry a copy of the contractor's license in any vehicle used at a job site;

[(23)] (22) as a contractor, fails to comply with requirements a political subdivision, state agency, or board of education imposes in accordance with Section 58-55-206;

[(24)] (23) as a contractor, fails to comply in a timely manner with requirements described

in Section 58-55-211;

~~[(25)]~~ (24) engages in the installation, repair, maintenance, cleaning, or replacement of a residential or a commercial gas appliance or a combustion system without the certification described in Section 58-55-503, or allows an employee to do so; or ~~[(26)]~~ (25) operates a crane without the certification described in Section 58-55-504.

Section 6. Section **58-55-604** is amended to read:

58-55-604 (Effective 01/01/27). Citations -- Fines -- License suspension-- License revocation.

(1) As used in this section, "qualifying violation" means a violation of:

- (a) Section 58-55-503;
- (b) Section 58-55-504;
- (c) Subsections 58-55-601(1) through (3), (7), (9), (10), (12), (14)(e), and ~~[(16)]~~ (15), or [~~Subsection 58-55-601(18) through (24)]~~ Subsections 58-55-601(17) through (23); or
- (d) Subsection ~~[58-55-602(4) or (6)]~~ 58-55-603(4)(a) or (7).

(2)(a) If an investigation shows a person committed a qualifying violation, or violated a division rule or order related to a qualifying violation, the division shall:

- (i) issue a citation;
- (ii) attempt a stipulated settlement; or
- (iii) require the person to appear in an adjudicative proceeding in accordance with Title 63G, Chapter 4, Administrative Procedures Act.

(b) The division may assess a fine and issue a cease-and-desist order based on:

- (i) an uncontested citation;
- (ii) a stipulated settlement; or
- (iii) a violation finding in an adjudicative proceeding regarding a qualifying violation.

(3)(a) Each citation shall:

- (i) be in writing;
- (ii) describe the qualifying violation with specific reference to statute, rule, or order;
- (iii) instruct the recipient to request a hearing in writing within 20 calendar days after the day on which the division issues the citation if the recipient contests; and
- (iv) state the consequences of failing to contest or pay fines.

(b) The division may serve the citation:

- (i) according to the Utah Rules of Civil Procedure;
- (ii) in person or through an agent; or
- (iii) by mail.

- (c) If the recipient does not request a hearing within 20 calendar days after the day on which the citation is issued, the citation becomes a final division order.
- (d) The division may extend the 20 calendar day period for cause.
- (4)(a) The division may deny, suspend, revoke, place on probation, or refuse to issue or renew the license of a person that does not comply with a final citation.
- (b) The division shall issue a citation within one year of the reported qualifying violation.
- (5) The director or the director's designee shall assess fines as follows:
- (a) except as provided in Subsection (5)(b), for a qualifying violation:
- (i) for a first offense, up to \$1,000;
- (ii) for a second offense, up to \$2,000; and
- (iii) for an additional qualifying violation, other than a violation described in Subsection 58-55-601(14)(e) or [(24)] (23), up to \$2,000 per day of continued offense; and
- (b) for a violation of Subsection 58-55-601(14)(e) or [(24)] (23):
- (i) for a first offense, up to \$2,000;
- (ii) for a second offense, up to \$4,000; and
- (iii) for an additional violation of Subsection 58-55-601(14)(e) or [(24)] (23), up to \$4,000 per day of continued qualifying violation.
- (6)(a) Except as provided in Subsection (8), the division shall consider a qualifying violation a second or additional offense if:
- (i) a prior final order established a qualifying violation; or
- (ii) the division initiated an action for an earlier offense and finds a second qualifying violation during a new investigation before resolving the initial case.
- (b) The division shall follow this section when issuing final orders for repeated qualifying violations.
- (7)(a) The division shall revoke a license if the licensee violates Subsection [58-55-601(19) or (20)] 58-55-601(18) or (19) two or more times in a 12-month period.
- (b) The division may exempt a licensee from revocation under Subsection [58-55-601(19)] 58-55-601(18) if the licensee proves the licensee verified the individual's federal work status using a status verification system under Section 13-47-102.
- (c) Each qualifying violation under Subsection [58-55-601(20) or (21)] 58-55-601(19) or (20) involving a different individual counts as a separate qualifying violation.
- (8) If five or more years pass between qualifying violations, the division may not treat a

new qualifying violation as a second or additional qualifying violation.

(9) The division may treat each instance of the same type of qualifying violation under Section 58-55-601 as a separate offense and may impose a separate penalty for each.

(10) The division and commission may suspend a license if:

(a) the licensee receives a citation for violating:

(i) Section 58-55-503;

(ii) Section 58-55-504; or

(iii) Section 58-55-601; or

(b) the licensee fails to:

(i) apply for a new license for a new business structure;

(ii) maintain or demonstrate financial responsibility in accordance with Section 58-55-205, while holding a contractor license under Part 2, Contractors; or

(iii) notify the division of insurance loss or change in qualifier.

Section 7. **Repealer.**

This bill repeals:

Section **58-55-201, Boards created -- Duties.**

Section **58-55-306, Financial responsibility.**

Section **58-55-403, Minimum time for division action.**

Section 8. **Effective Date.**

(1) Except as provided in Subsection (2), this bill takes effect January 1, 2027.

(2) The actions affecting Section 15A-3-701 (Effective upon governor's approval) take effect:

(a) except as provided in Subsection (2)(b), January 1, 2027; or

(b) if approved by two-thirds of all members elected to each house:

(i) upon approval by the governor;

(ii) without the governor's signature, the day following the constitutional time limit of

Utah Constitution, Article VII, Section 8; or

(iii) in the case of a veto, the date of veto override.