

**Representative Calvin R. Musselman** proposes the following substitute bill:

**RESIDENTIAL BUILDING INSPECTION AMENDMENTS**

2024 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Evan J. Vickers**

House Sponsor: Calvin R. Musselman

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**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;
- ▶ requires that a local regulator that issues a building permit pay any cost associated with the person seeking a building permit hiring a third-party inspection firm;
- ▶ 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 the owner of real property after the third-party inspection firm complies with certain requirements;
- ▶ exempts a local regulator from liability for any inspection performed by a third-party inspection firm;
- ▶ grants rulemaking authority to the Division of Facilities Construction and Management;



- 26           ▶ amends provisions relating to disciplinary proceedings for a licensed inspector; and
- 27           ▶ defines terms.

28 **Money Appropriated in this Bill:**

29           None

30 **Other Special Clauses:**

31           None

32 **Utah Code Sections Affected:**

33 AMENDS:

34           **10-6-160**, as last amended by Laws of Utah 2021, First Special Session, Chapter 3

35           **15A-1-202**, as last amended by Laws of Utah 2021, First Special Session, Chapter 3

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

37           **58-56-9**, as last amended by Laws of Utah 2018, Chapter 229

38 ENACTS:

39           **15A-1-105**, Utah Code Annotated 1953



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

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

43           **10-6-160. Fees collected for construction approval -- Approval of plans.**

44           (1) As used in this section:

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

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

47           (c) "Lodging establishment" means a place providing temporary sleeping

48 accommodations to the public, including any of the following:

49           (i) a bed and breakfast establishment;

50           (ii) a boarding house;

51           (iii) a dormitory;

52           (iv) a hotel;

53           (v) an inn;

54           (vi) a lodging house;

55           (vii) a motel;

56           (viii) a resort; or

- 57 (ix) a rooming house.
- 58 (d) "Planning review" means a review to verify that a city has approved the following  
59 elements of a construction project:
- 60 (i) zoning;
- 61 (ii) lot sizes;
- 62 (iii) setbacks;
- 63 (iv) easements;
- 64 (v) curb and gutter elevations;
- 65 (vi) grades and slopes;
- 66 (vii) utilities;
- 67 (viii) street names;
- 68 (ix) defensible space provisions and elevations, if required by the Utah Wildland Urban  
69 Interface Code adopted under Section 15A-2-103; and
- 70 (x) subdivision.
- 71 (e) (i) "Plan review" means all of the reviews and approvals of a plan that a city  
72 requires to obtain a building permit from the city with a scope that may not exceed a review to  
73 verify:
- 74 (A) that the construction project complies with the provisions of the State Construction  
75 Code under Title 15A, State Construction and Fire Codes Act;
- 76 (B) that the construction project complies with the energy code adopted under Section  
77 15A-2-103;
- 78 (C) that the construction project received a planning review;
- 79 (D) that the applicant paid any required fees;
- 80 (E) that the applicant obtained final approvals from any other required reviewing  
81 agencies;
- 82 (F) that the construction project complies with federal, state, and local storm water  
83 protection laws;
- 84 (G) that the construction project received a structural review;
- 85 (H) the total square footage for each building level of finished, garage, and unfinished  
86 space; and
- 87 (I) that the plans include a printed statement indicating that the actual construction will

88 comply with applicable local ordinances and the state construction codes.

89 (ii) "Plan review" does not mean a review of a document:

90 (A) required to be re-submitted for a construction project other than a construction  
91 project for a one to two family dwelling or townhome if additional modifications or substantive  
92 changes are identified by the plan review;

93 (B) submitted as part of a deferred submittal when requested by the applicant and  
94 approved by the building official; or

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

97 (f) "State Construction Code" means the same as that term is defined in Section  
98 [15A-1-102](#).

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

100 (h) "Structural review" means:

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

102 (A) footing size and bar placement;

103 (B) foundation thickness and bar placement;

104 (C) beam and header sizes;

105 (D) nailing patterns;

106 (E) bearing points;

107 (F) structural member size and span; and

108 (G) sheathing; or

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

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

113 (2) (a) If a city collects a fee for the inspection of a construction project, the city shall  
114 ensure that the construction project receives a prompt inspection.

115 (b) If a city cannot provide a building inspection within three business days after the  
116 day on which the city receives the request for the inspection, [~~the city shall promptly engage an  
117 independent inspector with fees collected from the applicant~~] the applicant may hire a  
118 third-party inspection firm, as described in Section [15A-1-105](#).

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

122 (i) identifies each violation;

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

125 (iii) is delivered:

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

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

128 (3) (a) A city shall complete a plan review of a construction project for a one to two  
129 family dwelling or townhome by no later than 14 business days after the day on which the  
130 applicant submits a complete building permit application to the city.

131 (b) A city shall complete a plan review of a construction project for a residential  
132 structure built under the International Building Code, not including a lodging establishment, by  
133 no later than 21 business days after the day on which the applicant submits a complete building  
134 permit application to the city.

135 (c) (i) Subject to Subsection (3)(c)(ii), if a city does not complete a plan review before  
136 the time period described in Subsection (3)(a) or (b) expires, an applicant may request that the  
137 city complete the plan review.

138 (ii) If an applicant makes a request under Subsection (3)(c)(i), the city shall perform the  
139 plan review no later than:

140 (A) for a plan review described in Subsection (3)(a), 14 days from the day on which the  
141 applicant makes the request; or

142 (B) for a plan review described in Subsection (3)(b), 21 days from the day on which the  
143 applicant makes the request.

144 (d) An applicant may:

145 (i) waive the plan review time requirements described in this Subsection (3); or

146 (ii) with the city's consent, establish an alternative plan review time requirement.

147 (4) A city may not enforce a requirement to have a plan review if:

148 (a) the city does not complete the plan review within the time period described in  
149 Subsection (3)(a) or (b); and

150 (b) a licensed architect or structural engineer, or both when required by law, stamps the  
151 plan.

152 (5) (a) A city may attach to a reviewed plan a list that includes:

153 (i) items with which the city is concerned and may enforce during construction; and

154 (ii) building code violations found in the plan.

155 (b) A city may not require an applicant to redraft a plan if the city requests minor  
156 changes to the plan that the list described in Subsection (5)(a) identifies.

157 (c) A city may only require a single resubmittal of plans for a one or two family  
158 dwelling or townhome if the resubmission is required to address deficiencies identified by a  
159 third-party review of a geotechnical report or geological report.

160 (6) If a city charges a fee for a building permit, the city may not refuse payment of the  
161 fee at the time the applicant submits a building permit application under Subsection (3).

162 (7) A city may not limit the number of building permit applications submitted under  
163 Subsection (3).

164 (8) For purposes of Subsection (3), a building permit application is complete if the  
165 application contains:

166 (a) the name, address, and contact information of:

167 (i) the applicant; and

168 (ii) the construction manager/general contractor, as defined in Section [63G-6a-103](#), for  
169 the construction project;

170 (b) a site plan for the construction project that:

171 (i) is drawn to scale;

172 (ii) includes a north arrow and legend; and

173 (iii) provides specifications for the following:

174 (A) lot size and dimensions;

175 (B) setbacks and overhangs for setbacks;

176 (C) easements;

177 (D) property lines;

178 (E) topographical details, if the slope of the lot is greater than 10%;

179 (F) retaining walls;

180 (G) hard surface areas;

- 181 (H) curb and gutter elevations as indicated in the subdivision documents;
- 182 (I) utilities, including water meter and sewer lateral location;
- 183 (J) street names;
- 184 (K) driveway locations;
- 185 (L) defensible space provisions and elevations, if required by the Utah Wildland Urban
- 186 Interface Code adopted under Section 15A-2-103; and
- 187 (M) the location of the nearest hydrant;
- 188 (c) construction plans and drawings, including:
  - 189 (i) elevations, only if the construction project is new construction;
  - 190 (ii) floor plans for each level, including the location and size of doors and windows;
  - 191 (iii) foundation, structural, and framing detail; and
  - 192 (iv) electrical, mechanical, and plumbing design;
- 193 (d) documentation of energy code compliance;
- 194 (e) structural calculations, except for trusses;
- 195 (f) a geotechnical report, including a slope stability evaluation and retaining wall
- 196 design, if:
  - 197 (i) the slope of the lot is greater than 15%; and
  - 198 (ii) required by the city; and
  - 199 (g) a statement indicating that actual construction will comply with applicable local
  - 200 ordinances and building codes.

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

202 **15A-1-105. Third-party inspection firms.**

203 (1) As used in this section:

204 (a) "Code" means:

205 (i) the State Construction Code; or

206 (ii) an approved code.

207 (b) "Inspection" means a comprehensive assessment of the physical condition of a  
208 piece of real property or the real property's components.

209 (c) "Local regulator" means a political subdivision of the state that is empowered to  
210 engage in the regulation of construction, alteration, remodeling, building, repair, and other  
211 activities subject to the code.

212 (d) "Third-party inspection firm" means a licensed, independent entity, with no interest  
213 in the outcome of an inspection, that a client engages to conduct an inspection.

214 (2) Subject to the provisions of this section and Subsection 10-6-160(2):

215 (a) a person may hire a third-party inspection firm to conduct an inspection on real  
216 property that the person owns; and

217 (b) the local regulator shall pay the cost of the inspection the third-party inspection  
218 firm performs after the local regulator issues a building permit for the property and collects the  
219 building permit fee.

220 (3) Before the local regulator pays the cost of an inspection in accordance with  
221 Subsection (2):

222 (a) the third-party inspection firm shall provide proof of payment to the local regulator;  
223 and

224 (b) the local regulator shall ensure that the cost described in the proof of payment  
225 complies with rules made by the Division of Facilities Construction and Management.

226 (4) Upon completing an inspection, a third-party inspection firm shall submit the  
227 inspection report to the local regulator.

228 (5) After the third-party inspection firm completes the final inspection and submits the  
229 inspection report to the local regulator, the local regulator shall issue the certificate of  
230 occupancy to the owner of the real property, if the local regulator determines that, based on the  
231 inspection report, the property meets the applicable standards.

232 (6) A local regulator is not liable for any inspection performed by a third-party  
233 inspection firm.

234 (7) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
235 Division of Facilities and Construction Management shall:

236 (a) make rules establishing standard reimbursement costs for the services of third-party  
237 inspection firms;

238 (b) establish standards for the approval of a third-party inspection firm; and

239 (c) establish a process by which the Division of Facilities and Construction  
240 Management approves a third-party inspection firm.

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

242 **15A-1-202. Definitions.**



243 As used in this chapter:

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

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

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

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

252 (4) "Building permit holder" means a person to whom a local regulator issues a  
253 building permit.

254 [~~4~~] (5) "Code" means:

255 (a) the State Construction Code; or

256 (b) an approved code.

257 [~~5~~] (6) "Commission" means the Uniform Building Code Commission created in  
258 Section 15A-1-203.

259 [~~6~~] (7) "Compliance agency" means:

260 (a) an agency of the state or any of its political subdivisions which issues permits for  
261 construction regulated under the codes;

262 (b) any other agency of the state or its political subdivisions specifically empowered to  
263 enforce compliance with the codes; [or]

264 (c) a third-party inspection firm as defined in Section 15A-1-105 approved by the  
265 Division of Facilities Construction and Management that a building permit holder hires; or

266 [~~c~~] (d) any other state agency which chooses to enforce codes adopted under this  
267 chapter by authority given the agency under a title other than this part and Part 3, Factory Built  
268 Housing and Modular Units Administration Act.

269 [~~7~~] (8) "Construction code" means standards and specifications published by a  
270 nationally recognized code authority for use in circumstances described in Subsection

271 15A-1-204(1), including:

272 (a) a building code;

273 (b) an electrical code;

- 274 (c) a residential one and two family dwelling code;
- 275 (d) a plumbing code;
- 276 (e) a mechanical code;
- 277 (f) a fuel gas code;
- 278 (g) an energy conservation code;
- 279 (h) a swimming pool and spa code; and
- 280 (i) a manufactured housing installation standard code.
- 281 [~~(8)~~] (9) "Construction project" means the same as that term is defined in Section
- 282 [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
- 290 empowered to engage in the regulation of construction, alteration, remodeling, building, repair,
- 291 and other activities subject to the codes.
- 292 [~~(12)~~] (13) "Membrane-covered frame structure" means a nonpressurized building with
- 293 a structure composed of a rigid framework to support a tensioned membrane that provides a
- 294 weather barrier.
- 295 [~~(13)~~] (14) "Not for human occupancy" means use of a structure for purposes other
- 296 than 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
- 301 the commission concerning an interpretation of the meaning of the codes or the application of
- 302 the codes in a specific circumstance issued in response to a specific request by a party to the
- 303 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  
313 engage in 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  
332 following 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 Urban
- 342 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 exceed a review
- 346 to verify:
  - 347 (A) that the construction project complies with the provisions of the State Construction
  - 348 Code under Title 15A, State Construction and Fire Codes Act;
  - 349 (B) that the construction project complies with the energy code adopted under Section
  - 350 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 unfinished
  - 359 space; and
  - 360 (I) that the plans include a printed statement indicating that the actual construction will
  - 361 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 modifications or substantive
  - 365 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, is  
369 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  
385 and 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 promptly~~  
390 ~~engage an independent inspector with fees collected from the applicant]~~ the applicant may hire  
391 a third-party inspection firm, as described in Section [15A-1-105](#).

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

395 (i) identifies each violation;

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

398 (iii) is delivered:

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

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

401 (3) (a) A county shall complete a plan review of a construction project for a one to two  
402 family dwelling or townhome by no later than 14 business days after the day on which the  
403 applicant submits a complete building permit application to the county.

404 (b) A county shall complete a plan review of a construction project for a residential  
405 structure built under the International Building Code, not including a lodging establishment, by  
406 no later than 21 business days after the day on which the applicant submits a complete building  
407 permit application to the county.

408 (c) (i) Subject to Subsection (3)(c)(ii), if a county does not complete a plan review  
409 before the time period described in Subsection (3)(a) or (b) expires, an applicant may request  
410 that the county complete the plan review.

411 (ii) If an applicant makes a request under Subsection (3)(c)(i), the county shall perform  
412 the plan review no later than:

413 (A) for a plan review described in Subsection (3)(a), 14 days from the day on which the  
414 applicant makes the request; or

415 (B) for a plan review described in Subsection (3)(b), 21 days from the day on which the  
416 applicant makes the request.

417 (d) An applicant may:

418 (i) waive the plan review time requirements described in this Subsection (3); or

419 (ii) with the county's consent, establish an alternative plan review time requirement.

420 (4) A county may not enforce a requirement to have a plan review if:

421 (a) the county does not complete the plan review within the time period described in  
422 Subsection (3)(a) or (b); and

423 (b) a licensed architect or structural engineer, or both when required by law, stamps the  
424 plan.

425 (5) (a) A county may attach to a reviewed plan a list that includes:

426 (i) items with which the county is concerned and may enforce during construction; and

427 (ii) building code violations found in the plan.

428 (b) A county may not require an applicant to redraft a plan if the county requests minor

429 changes to the plan that the list described in Subsection (5)(a) identifies.

430 (c) A county may require a single resubmittal of plans for a one or two family dwelling  
431 or townhome if the resubmission is required to address deficiencies identified by a third-party  
432 review of a geotechnical report or geological report.

433 (6) If a county charges a fee for a building permit, the county may not refuse payment  
434 of the fee at the time the applicant submits a building permit application under Subsection (3).

435 (7) A county may not limit the number of building permit applications submitted under  
436 Subsection (3).

437 (8) For purposes of Subsection (3), a building permit application is complete if the  
438 application contains:

439 (a) the name, address, and contact information of:

440 (i) the applicant; and

441 (ii) the construction manager/general contractor, as defined in Section [63G-6a-103](#), for  
442 the construction project;

443 (b) a site plan for the construction project that:

444 (i) is drawn to scale;

445 (ii) includes a north arrow and legend; and

446 (iii) provides specifications for the following:

447 (A) lot size and dimensions;

448 (B) setbacks and overhangs for setbacks;

449 (C) easements;

450 (D) property lines;

451 (E) topographical details, if the slope of the lot is greater than 10%;

452 (F) retaining walls;

453 (G) hard surface areas;

454 (H) curb and gutter elevations as indicated in the subdivision documents;

455 (I) utilities, including water meter and sewer lateral location;

456 (J) street names;

457 (K) driveway locations;

458 (L) defensible space provisions and elevations, if required by the Utah Wildland Urban  
459 Interface Code adopted under Section [15A-2-103](#); and

- 460 (M) the location of the nearest hydrant;
- 461 (c) construction plans and drawings, including:
  - 462 (i) elevations, only if the construction project is new construction;
  - 463 (ii) floor plans for each level, including the location and size of doors and windows;
  - 464 (iii) foundation, structural, and framing detail; and
  - 465 (iv) electrical, mechanical, and plumbing design;
- 466 (d) documentation of energy code compliance;
- 467 (e) structural calculations, except for trusses;
- 468 (f) a geotechnical report, including a slope stability evaluation and retaining wall
- 469 design, if:
  - 470 (i) the slope of the lot is greater than 15%; and
  - 471 (ii) required by the county; and
  - 472 (g) a statement indicating that actual construction will comply with applicable local
  - 473 ordinances and building codes.

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

475 **58-56-9. Qualifications of inspectors -- Contract for inspection services.**

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

- 478 (a) (i) meet minimum qualifications as established by the division in collaboration with  
479 the commission;
- 480 (ii) be certified by a nationally recognized organization which promulgates  
481 construction codes; or
- 482 (iii) pass an examination developed by the division in collaboration with the  
483 commission;
- 484 (b) be currently licensed by the division as meeting those minimum qualifications; and
- 485 (c) be subject to ~~[revocation or suspension of the inspector's license or being placed on~~  
486 probation if found guilty of] disciplinary or other action if the licensee engages in unlawful or  
487 unprofessional conduct.

488 (2) A local regulator, state regulator, ~~[or]~~ compliance agency, or building permit holder  
489 as defined in Section 15A-1-202 may contract for the services of a licensed inspector not  
490 regularly employed by the regulator or agency.



- 491 (3) In accordance with Section 58-1-401, the division may:
- 492 (a) refuse to issue a license to an applicant;
- 493 (b) refuse to renew the license of a licensee;
- 494 (c) revoke, suspend, restrict, or place on probation the license of a licensee;
- 495 (d) issue a public or private reprimand;
- 496 (e) issue a citation to a licensee; and
- 497 (f) issue a cease and desist order.

498 Section 6. **Effective date.**

499 This bill takes effect on May 1, 2024.