

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

LONG TITLE

General Description:

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

Highlighted Provisions:

This bill:

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

Money Appropriated in this Bill:

None



26 **Other Special Clauses:**

27 None

28 **Utah Code Sections Affected:**

29 AMENDS:

30 **10-6-160**, as last amended by Laws of Utah 2021, First Special Session, Chapter 3

31 **15A-1-202**, as last amended by Laws of Utah 2021, First Special Session, Chapter 3

32 **17-36-55**, as last amended by Laws of Utah 2021, First Special Session, Chapter 3

33 **58-56-9**, as last amended by Laws of Utah 2018, Chapter 229

34 ENACTS:

35 **15A-1-105**, Utah Code Annotated 1953



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

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

39 **10-6-160. Fees collected for construction approval -- Approval of plans.**

40 (1) As used in this section:

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

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

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

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

45 (i) a bed and breakfast establishment;

46 (ii) a boarding house;

47 (iii) a dormitory;

48 (iv) a hotel;

49 (v) an inn;

50 (vi) a lodging house;

51 (vii) a motel;

52 (viii) a resort; or

53 (ix) a rooming house.

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

56 (i) zoning;

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

88 changes are identified by the plan review;

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

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

93 (f) "State Construction Code" means the same as that term is defined in Section
94 [15A-1-102](#).

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

96 (h) "Structural review" means:

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

98 (A) footing size and bar placement;

99 (B) foundation thickness and bar placement;

100 (C) beam and header sizes;

101 (D) nailing patterns;

102 (E) bearing points;

103 (F) structural member size and span; and

104 (G) sheathing; or

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

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

109 (2) (a) If a city collects a fee for the inspection of a construction project, the city shall
110 ensure that the construction project receives a prompt inspection as described in Subsection
111 (2)(b).

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

117 (c) If an inspector identifies one or more violations of the State Construction Code or
118 State Fire Code during an inspection, the inspector shall give the permit holder written

119 notification that:

120 (i) identifies each violation;

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

123 (iii) is delivered:

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

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

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

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

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

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

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

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

142 (d) An applicant may:

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

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

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

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

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

- 150 (5) (a) A city may attach to a reviewed plan a list that includes:
- 151 (i) items with which the city is concerned and may enforce during construction; and
- 152 (ii) building code violations found in the plan.
- 153 (b) A city may not require an applicant to redraft a plan if the city requests minor
- 154 changes to the plan that the list described in Subsection (5)(a) identifies.
- 155 (c) A city may only require a single resubmittal of plans for a one or two family
- 156 dwelling or townhome if the resubmission is required to address deficiencies identified by a
- 157 third-party review of a geotechnical report or geological report.
- 158 (6) If a city charges a fee for a building permit, the city may not refuse payment of the
- 159 fee at the time the applicant submits a building permit application under Subsection (3).
- 160 (7) A city may not limit the number of building permit applications submitted under
- 161 Subsection (3).
- 162 (8) For purposes of Subsection (3), a building permit application is complete if the
- 163 application contains:
- 164 (a) the name, address, and contact information of:
- 165 (i) the applicant; and
- 166 (ii) the construction manager/general contractor, as defined in Section [63G-6a-103](#), for
- 167 the construction project;
- 168 (b) a site plan for the construction project that:
- 169 (i) is drawn to scale;
- 170 (ii) includes a north arrow and legend; and
- 171 (iii) provides specifications for the following:
- 172 (A) lot size and dimensions;
- 173 (B) setbacks and overhangs for setbacks;
- 174 (C) easements;
- 175 (D) property lines;
- 176 (E) topographical details, if the slope of the lot is greater than 10%;
- 177 (F) retaining walls;
- 178 (G) hard surface areas;
- 179 (H) curb and gutter elevations as indicated in the subdivision documents;
- 180 (I) utilities, including water meter and sewer lateral location;

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

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

200 **15A-1-105. Third-party inspection firms.**

201 (1) As used in this section:

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

203 building permit.

204 (b) "Code" means the same as that term is defined in Section [15A-1-102](#).

205 (c) "Inspection" means a physical examination of the mechanical, electrical, plumbing,

206 and structural components of a building to ensure compliance with the code.

207 (d) "Local regulator" means the same as that terms is defined in Section [15A-1-102](#).

208 (e) "Third-party inspection firm" means an entity that is:

209 (i) licensed under Title 58, Chapter 56, Building Inspector and Factory Built Housing

210 Licensing;

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

212 and

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

214 (f) "Third-party inspection firm list" means a list of:

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

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

220 (2) (a) Subject to the provisions of this section and Subsections [10-6-160\(2\)](#) and
221 [17-36-55\(2\)](#), after submitting a request for inspection, a building permit applicant may engage
222 a third-party inspection firm from the local regulator's third-party inspection firm list to
223 conduct or complete an inspection for the scope of work identified under the original request
224 for inspection.

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

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

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

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

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

237 (i) completes the inspection; and

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

239 (b) The local regulator shall issue the certificate of occupancy within one business day
240 after the day on which the third-party inspection firm submits the inspection report to the local
241 regulator as described in Subsection (3)(a)(ii).

242 (4) A local regulator is not liable for any inspection performed by a third-party

243 inspection firm.

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

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

246 As used in this chapter:

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

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

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

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

255 (4) "Building permit applicant" means the same as that term is defined in Section
256 **15A-1-105.**

257 [~~(4)~~] (5) "Code" means:

258 (a) the State Construction Code; or

259 (b) an approved code.

260 [~~(5)~~] (6) "Commission" means the Uniform Building Code Commission created in
261 Section **15A-1-203.**

262 [~~(6)~~] (7) "Compliance agency" means:

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

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

267 (c) a third-party inspection firm as defined in Section **15A-1-105**; or

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

271 [~~(7)~~] (8) "Construction code" means standards and specifications published by a
272 nationally recognized code authority for use in circumstances described in Subsection
273 **15A-1-204**(1), including:

- 274 (a) a building code;
- 275 (b) an electrical code;
- 276 (c) a residential one and two family dwelling code;
- 277 (d) a plumbing code;
- 278 (e) a mechanical code;
- 279 (f) a fuel gas code;
- 280 (g) an energy conservation code;
- 281 (h) a swimming pool and spa code; and
- 282 (i) a manufactured housing installation standard code.
- 283 [~~(8)~~] (9) "Construction project" means the same as that term is defined in Section
- 284 38-1a-102.
- 285 [~~(9)~~] (10) "Executive director" means the executive director of the Department of
- 286 Commerce.
- 287 [~~(10)~~] (11) "Legislative action" includes legislation that:
- 288 (a) adopts a new State Construction Code;
- 289 (b) amends the State Construction Code; or
- 290 (c) repeals one or more provisions of the State Construction Code.
- 291 [~~(11)~~] (12) "Local regulator" means a political subdivision of the state that is
- 292 empowered to engage in the regulation of construction, alteration, remodeling, building, repair,
- 293 and other activities subject to the codes.
- 294 [~~(12)~~] (13) "Membrane-covered frame structure" means a nonpressurized building with
- 295 a structure composed of a rigid framework to support a tensioned membrane that provides a
- 296 weather barrier.
- 297 [~~(13)~~] (14) "Not for human occupancy" means use of a structure for purposes other
- 298 than protection or comfort of human beings, but allows people to enter the structure for:
- 299 (a) maintenance and repair; and
- 300 (b) the care of livestock, crops, or equipment intended for agricultural use which are
- 301 kept there.
- 302 [~~(14)~~] (15) "Opinion" means a written, nonbinding, and advisory statement issued by
- 303 the commission concerning an interpretation of the meaning of the codes or the application of
- 304 the codes in a specific circumstance issued in response to a specific request by a party to the

305 issue.

306 [~~(15)~~] (16) "Remote yurt" means a membrane-covered frame structure that:

307 (a) is no larger than 710 square feet;

308 (b) is not used as a permanent residence;

309 (c) is located in an unincorporated county area that is not zoned for residential,

310 commercial, industrial, or agricultural use;

311 (d) does not have plumbing or electricity;

312 (e) is set back at least 300 feet from any river, stream, lake, or other body of water; and

313 (f) is registered with the local health department.

314 [~~(16)~~] (17) "State regulator" means an agency of the state which is empowered to

315 engage in the regulation of construction, alteration, remodeling, building, repair, and other

316 activities subject to the codes adopted pursuant to this chapter.

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

318 **17-36-55. Fees collected for construction approval -- Approval of plans.**

319 (1) As used in this section:

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

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

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

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

324 (i) a bed and breakfast establishment;

325 (ii) a boarding house;

326 (iii) a dormitory;

327 (iv) a hotel;

328 (v) an inn;

329 (vi) a lodging house;

330 (vii) a motel;

331 (viii) a resort; or

332 (ix) a rooming house.

333 (d) "Planning review" means a review to verify that a county has approved the

334 following elements of a construction project:

335 (i) zoning;

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

367 changes are identified by the plan review;

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

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

372 (f) "State Construction Code" means the same as that term is defined in Section
373 [15A-1-102](#).

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

375 (h) "Structural review" means:

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

377 (A) footing size and bar placement;

378 (B) foundation thickness and bar placement;

379 (C) beam and header sizes;

380 (D) nailing patterns;

381 (E) bearing points;

382 (F) structural member size and span; and

383 (G) sheathing; or

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

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

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

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

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

- 398 (i) identifies each violation;
- 399 (ii) upon request by the permit holder, includes a reference to each applicable provision
400 of the State Construction Code or State Fire Code; and
- 401 (iii) is delivered:
- 402 (A) in hardcopy or by electronic means; and
- 403 (B) the day on which the inspection occurs.
- 404 (3) (a) A county shall complete a plan review of a construction project for a one to two
405 family dwelling or townhome by no later than 14 business days after the day on which the
406 applicant submits a complete building permit application to the county.
- 407 (b) A county shall complete a plan review of a construction project for a residential
408 structure built under the International Building Code, not including a lodging establishment, by
409 no later than 21 business days after the day on which the applicant submits a complete building
410 permit application to the county.
- 411 (c) (i) Subject to Subsection (3)(c)(ii), if a county does not complete a plan review
412 before the time period described in Subsection (3)(a) or (b) expires, an applicant may request
413 that the county complete the plan review.
- 414 (ii) If an applicant makes a request under Subsection (3)(c)(i), the county shall perform
415 the plan review no later than:
- 416 (A) for a plan review described in Subsection (3)(a), 14 days from the day on which the
417 applicant makes the request; or
- 418 (B) for a plan review described in Subsection (3)(b), 21 days from the day on which the
419 applicant makes the request.
- 420 (d) An applicant may:
- 421 (i) waive the plan review time requirements described in this Subsection (3); or
- 422 (ii) with the county's consent, establish an alternative plan review time requirement.
- 423 (4) A county may not enforce a requirement to have a plan review if:
- 424 (a) the county does not complete the plan review within the time period described in
425 Subsection (3)(a) or (b); and
- 426 (b) a licensed architect or structural engineer, or both when required by law, stamps the
427 plan.
- 428 (5) (a) A county may attach to a reviewed plan a list that includes:

429 (i) items with which the county is concerned and may enforce during construction; and
430 (ii) building code violations found in the plan.

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

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

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

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

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

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

443 (i) the applicant; and

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

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

447 (i) is drawn to scale;

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

449 (iii) provides specifications for the following:

450 (A) lot size and dimensions;

451 (B) setbacks and overhangs for setbacks;

452 (C) easements;

453 (D) property lines;

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

455 (F) retaining walls;

456 (G) hard surface areas;

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

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

459 (J) street names;

- 460 (K) driveway locations;
- 461 (L) defensible space provisions and elevations, if required by the Utah Wildland Urban
- 462 Interface Code adopted under Section 15A-2-103; and
- 463 (M) the location of the nearest hydrant;
- 464 (c) construction plans and drawings, including:
 - 465 (i) elevations, only if the construction project is new construction;
 - 466 (ii) floor plans for each level, including the location and size of doors and windows;
 - 467 (iii) foundation, structural, and framing detail; and
 - 468 (iv) electrical, mechanical, and plumbing design;
- 469 (d) documentation of energy code compliance;
- 470 (e) structural calculations, except for trusses;
- 471 (f) a geotechnical report, including a slope stability evaluation and retaining wall
- 472 design, if:
 - 473 (i) the slope of the lot is greater than 15%; and
 - 474 (ii) required by the county; and
 - 475 (g) a statement indicating that actual construction will comply with applicable local
 - 476 ordinances and building codes.

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

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

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

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

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

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

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

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

497 (d) issue a public or private reprimand;

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

499 (f) issue a cease and desist order.

500 Section 6. **Effective date.**

501 This bill takes effect on May 1, 2024.