

AN ACT relating to the building trades.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. KRS 56.777 is amended to read as follows:

- (1) A High-Performance Buildings Advisory Committee is hereby created and shall be administratively staffed by the cabinet.
- (2) The committee shall consist of seventeen (17)~~fifteen (15)~~ members and shall include:
 - (a) A representative of the cabinet designated by the secretary;
 - (b) A representative of the Tourism, Arts and Heritage Cabinet designated by the secretary;
 - (c) A representative of the Department of Education designated by the commissioner;
 - (d) A representative of the Council on Postsecondary Education designated by the president;
 - (e) A representative of the Department for Energy Development and Independence designated by the commissioner; and
 - (f) A representative appointed by the Governor from each of the following:
 1. The design and construction industry involved in public works contracting;
 2. The Kentucky Chapter of the U. S. Green Building Council;
 3. The University of Kentucky College of Design;
 4. The Kentucky Forest Industries Association;
 5. The Kentucky Society of the American Institute of Architects;
 6. The American Society of Heating, Refrigerating, and Air-Conditioning Engineers; and
 7. The Home Builders Association of Kentucky;
 8. The Associated General Contractors of Kentucky;

9. The West Kentucky Construction Association; ~~and~~
 10. The Kentucky Manufactured Housing Institute;
 - 11. The Kentucky Ready Mixed Concrete Association; and**
 - 12. The Plantmix Asphalt Industry of Kentucky.**
- (3) The representative of the cabinet shall serve as the chairperson of the committee. All appointments shall be for a term of two (2) years. Committee members shall serve until their successors are appointed and shall be eligible for reappointment.
- (4) The committee shall meet at least monthly or as convened by the chairperson.
- (5) The members of the committee shall receive reimbursement for the cost of travel to and from the meetings and any costs necessarily incurred in carrying out their duties.
- (6) The committee shall:
- (a) Consult with architects, engineers, builders, energy and conservation organizations, and other interested stakeholders, and make recommendations to the cabinet regarding:
 1. Standards and benchmarks developed under existing high-performance building programs, including the ENERGY STAR rating system, Green Globes rating system, and Leadership in Energy and Environmental Design (LEED) Green Building rating system; and
 2. Standards and guidelines developed and adopted by the U.S. Green Building Council, the American Society of Heating, Refrigerating and Air-Conditioning Engineers, and the Illuminating Engineering Society of North America partnership concerning the design of sustainable buildings to balance environmental responsibility, resource efficiency, occupant comfort and well-being, and community sensitivity;
 - (b) Assist the cabinet in the review of state building projects to ensure that building performance and efficiency are maximized to the extent

- economically feasible using a life-cycle cost analysis;
- (c) Assist the cabinet in developing a process of documentation of the attainment of high-performance building standards; and
 - (d) Assist the cabinet in conducting an ongoing professional development program for state and local building designers, construction companies, school districts, building managers, and the general public on high-performance building design, construction, maintenance, and operation.
- (7) Prior to the implementation of KRS 56.770 to 56.784, the cabinet shall promulgate administrative regulations pursuant to KRS Chapter 13A necessary to implement this section. The cabinet shall consider the recommendations made by the High-Performance Buildings Advisory Committee pursuant to subsection (6) of this section and shall establish the criteria for the high-performance building standards and the benchmarks by which the high-performance building standards will be measured. At a minimum, the cabinet shall:
- (a) Include the standards for site selection and management, water efficiency, energy conservation, waste reduction, material and resource use, and indoor air quality; and
 - (b) Require that each high-performance building be designed, constructed, or renovated so that it is capable of being rated as an ENERGY STAR building in accordance with the criteria and rating system adopted by the United States Environmental Protection Agency and in effect at the time the building is designed or, in the case of leased buildings, at the time the lease is entered into on or after July 1, 2018.
- (8) In developing the criteria for the high-performance building standards, the cabinet shall consider and encourage the use of:
- (a) Locally grown lumber from forest lands implementing sustainable practices established by the American Tree Farm System's Sustainable Forest Initiative

or the Kentucky Forest Stewardship Program established under KRS 149.330 to 149.355;

- (b) Building materials manufactured with recycled content within the Commonwealth; and
- (c) Renewable energy sources.

➔Section 2. KRS 227.450 is amended to read as follows:

As used in KRS 227.450 to 227.500 unless the context otherwise requires:

- (1) **"Alteration" means any change, modification, or adjustment to an existing electrical system or conduit;**
- (2) **"Commissioner" means the commissioner of the Department of Housing, Buildings and Construction;**
- (3) **"Division" means the Electrical Division within the Department of Housing, Buildings and Construction;**
- (4) "Electrical contractor" means any licensed individual, partnership, or corporation that is licensed to engage in, offers to engage in, or advertises or holds itself out to be qualified to engage in designing, planning, superintending, contracting of, or assuming responsibility for the installation, alteration, or repair of any electrical **system**~~[wiring]~~ used for the purpose of furnishing heat, light, or power, and employs electrical workers to engage in this practice. If the electrical contractor is not a master electrician, the electrical contractor shall employ at least one (1) full-time master electrician;
- (5) **"Electrical system" means any electrical work subject to standards provided within the National Electrical Code as adopted in the Uniform State Building Code, as promulgated by the Board of Housing, Buildings and Construction;**
- ~~(6)~~~~(2)~~ "Electrician" means any person licensed by the department who is employed by an electrical contractor and is engaged in the construction, alteration, or repair of any electrical **system**~~[wiring]~~ used for the purpose of furnishing heat, light, or

power;

~~(7)(3)~~ "Electrical" pertains to the installation, alteration, or repair of wires and conduits for the purpose of transmitting electricity, and the installation of fixtures and equipment in connection therewith;

~~(8)(4)~~ "Electrical inspector" means any person certified by the commissioner of housing, buildings and construction pursuant to KRS 227.489 who, for compensation, inspects the construction and installation of electrical conductors, fittings, devices, and fixtures for light, heat, or power service equipment to ascertain the compliance with the National Electrical Code incorporated in the Uniform State Building Code promulgated pursuant to KRS 198B.050 or the standards of safety of the Commonwealth of Kentucky;~~and~~

~~(9)(5)~~ "Department" means the Department of Housing, Buildings and Construction;
and

(10) "Repair" means the reconstruction or renewal of any part of an existing building for the purpose of its maintenance.

➔Section 3. KRS 227.480 is amended to read as follows:

(1) **(a)** A city, county, urban-county, charter county, or consolidated local government **or the state** shall, according to the Uniform State Building Code as it pertains to the plan review and inspection responsibilities of local governments **or the state**, require any person to obtain **a permit**~~permits~~ before commencing construction, alteration, or repairs of any electrical **system**~~wiring~~.

(b) The city, county, urban-county, charter county, or consolidated local government **or the state** shall require all inspections that are deemed necessary by the department for the safety of life and property. The department shall promulgate administrative regulations to describe the circumstances where inspections are required.

- (2) A city, county, urban-county, charter county, or consolidated local government or the state shall not issue a permit unless the applicant submits proof of being licensed as an electrical contractor under KRS Chapter 227A or of acting on behalf of a licensed electrical contractor. However, the provisions of this subsection shall not apply to a homeowner or farmer who does construction, alteration, or repairs of any electrical system~~[wiring]~~ on his or her own premises or any other person exempt from licensing under KRS 227A.030 or KRS 227A.150. This subsection shall not apply to electrical work performed by the Commonwealth of Kentucky, a city, county, urban-county, charter county, or consolidated local government, or any subdivision thereof.
- (3) A city, county, urban-county, charter county, or consolidated local government shall appoint and may fix the compensation of city, county, urban-county, charter county, or consolidated local government electrical inspectors, and may by ordinance fix reasonable fees and establish other requirements for the conduct of electrical inspections within its boundaries. All electrical inspectors must be certified under KRS 227.489.
- (4) Reasonable standards for the construction, alteration, and repair of any electrical system~~[wiring]~~ shall be those adopted in the Uniform State Building Code, as promulgated by the Board of Housing, Buildings and Construction, and shall have as a minimum standard the requirements of the National Electrical~~[Electric]~~ Code. These standards shall be used by the electrical inspector in making his inspections.

➔Section 4. KRS 227.491 is amended to read as follows:

- (1) An electrical inspector who certifies an electrical installation shall furnish and attach an approval sticker, bearing his or her signature and certification number in a conspicuous place on the main service entrance equipment. He or she shall also provide the owner of the electrical installation or his or her authorized agent with a certificate of approval if the same is requested. A complete record of each

inspection shall be kept by the inspector and these records shall be made available to the Department of Housing, Buildings and Construction upon its request.

(2) ~~An~~^{No} electrical inspector shall:

(a) Not attempt to supplant, overrule, or otherwise invalidate the judgment of another electrical inspector whose services for a particular building, structure, or other project have been solicited by an owner, contractor, municipality, or other person without first obtaining express written consent from the designated inspector's office supervising the original inspector;

(b) Not certify unlicensed or unlawful electrical installations;

(c) Not certify or inspect an electrical installation in a manufactured home or mobile home where the certified installer seal is not present pursuant to KRS 227.570;~~or~~

(d) Not certify or inspect an electrical installation in a previously owned manufactured home or a previously owned mobile home when a Class B1 seal is not present as required by KRS 227.605; and

(e) Verify required electrical licensure on projects within the inspector's jurisdiction. The electrical inspector shall report all electrical licensure violations to the department within ten (10) days of discovery.

(3) Failure of an electrical inspector to comply with any provision of this chapter or the administrative regulations promulgated thereunder~~observe subsection (2) of this section~~ shall subject that inspector to review by the commissioner of housing, buildings and construction with possible suspension of certification for a period not to exceed one (1) year from the date of the commissioner's ruling.

➔Section 5. KRS 227.530 is amended to read as follows:

(1) There is hereby created an Electrical Advisory Committee which shall be attached to the Electrical Division within the Department of Housing, Buildings and Construction for administrative purposes. The committee shall be constituted as

follows:

- (a) Two (2) members chosen from public utility companies;
 - (b) Two (2) members who are electricians;
 - (c) Two (2) members who are certified electrical inspectors, one (1) of whom shall be employed by a governmental entity and the other who shall be an electrical inspector contracted to conduct inspections of independent contractor engaged in the business of inspecting electrical installations;
 - (d) Two (2) members who are licensed professional electrical engineers;
 - (e) Two (2) members who are engaged in the business of electrical contracting; ~~and~~
 - (f) One (1) member who is engaged in the business of electrical contracting and who employs no more than five (5) full-time employees when appointed; and
 - (g) The commissioner of the Department of Housing, Buildings and Construction or his or her designee.
- (2) Appointed committee members shall be appointed by the Governor for four (4) year terms. No committee member shall be appointed for more than one (1) successive term.
- (3) The committee shall meet at least quarterly or upon request of the department for the purpose of considering matters relating to electrical installations and electrical inspections. The committee shall have the opportunity to review and comment on relevant administrative regulations that are subject to the requirements of KRS 198B.030(8) and (9) and 198B.040(11) and shall make recommendations to and otherwise advise the department on these matters.
- (4) All committee members shall be compensated for expenses incurred in the conduct of Commonwealth business.

➔Section 6. KRS 227A.010 is amended to read as follows:

As used in KRS 227A.010 to 227A.140, unless the context otherwise requires:

- (1) "Authorized local licensing program" means any city, county, urban-county, charter county, or consolidated local government electrician and electrical contractor licensing program established by local ordinance for the purpose of licensing electrical workers. "Authorized local licensing program" shall include a licensing program established through a cooperative agreement between two (2) or more counties;
- (2) "Committee" means the Electrical Advisory Committee as described in KRS 227.530;
- (3) "Department" means the Department of Housing, Buildings and Construction;
- (4) "Electrical" pertains to the installation, alteration, or repair of wires and conduits for the purpose of transmitting electricity, and the installation of fixtures and equipment in connection therewith;
- (5) "Electrical contractor" means any licensed individual, partnership, or corporation that is licensed to engage in, offers to engage in, or advertises or holds itself out to be qualified to engage in designing, planning, superintending, contracting of, or assuming responsibility for the installation, alteration, or repair of any electrical system~~[wiring]~~ used for the purpose of furnishing heat, light, or power, and employs electrical workers to engage in this practice. If the electrical contractor is not a master electrician, the electrical contractor shall employ at least one (1) full-time master electrician; however, no master electrician shall act in this capacity for more than one (1) electrical contractor;
- (6) "Electrical system" means any electrical work subject to standards provided within the National Electrical Code as adopted in the Uniform State Building Code, as promulgated by the Board of Housing, Buildings and Construction;**
- ~~(Z)~~~~(6)~~ "Electrician" means any person licensed by the department who is employed by an electrical contractor and is engaged in the construction, alteration, or repair of any electrical system~~[wiring]~~ used for the purpose of furnishing heat, light, or

power;

~~(8)~~~~(7)~~ "Maintenance worker or maintenance engineer" means a person who is a regular, bona fide employee or agent of a property owner, property lessor, property management company, or firm that is not in the electrical business but has jurisdiction over the property where the routine maintenance of electrical systems is being performed;

~~(9)~~~~(8)~~ "Master electrician" means any individual licensed to ***engage in, and*** assume responsible charge, supervision, or direction of an electrician engaged in the construction, installation, alteration, or repair of ***any*** electrical ***system***~~[wiring]~~ used to furnish heat, light, or power;

(10) "Repair" means the reconstruction or renewal of any part of an existing building for the purpose of its maintenance; and

~~(11)~~~~(9)~~ "Routine maintenance of electrical systems" means the routine and periodic servicing of electrical systems, including cleaning, inspecting, and making adjustments to ensure the proper operation and the removal or replacement of component parts. "Routine maintenance of electrical systems" does not include the installation of complete electrical systems.