

AN ACT relating to welders.

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

➔SECTION 1. A NEW SECTION OF KRS CHAPTER 45A IS CREATED TO READ AS FOLLOWS:

As used in Sections 1 and 2 of this Act, unless the context otherwise requires:

(1) "ASME" means the American Society of Mechanical Engineers;

(2) "AWS" means the American Welding Society;

(3) "Capital construction project" means a capital construction item as defined in KRS 45.750 and capital projects as defined in KRS 45.750;

(4) "Contract" means all types of state agreements, including grants and orders, for the purchase or disposal of supplies, services, construction, or any other item and includes:

(a) Awards;

(b) Contracts of a fixed price;

(c) Cost;

(d) Cost-plus-a-fixed-fee or incentive type;

(e) Contracts providing for the issuance of job or task orders;

(f) Leases;

(g) Letter contracts;

(h) Purchase orders;

(i) Insurance contracts, except as provided in KRS 45A.022;

(j) Supplemental agreements with respect to any of the foregoing; and

(5) "Public agency" means:

(a) A state or local government board, commission, or authority;

(b) A state or local legislative board, commission, or committee;

(c) A county, urban-county charter county, consolidated local government, unified local government, city, special district board, or municipal

corporation, or an agency or instrumentality thereof;

(d) A school district or independent school district;

(e) A public agency of postsecondary education;

(f) A state government agency in the legislative, executive, or judicial branches of government, including the policy-making board of an institution of education, created by or pursuant to state statute, executive order, resolution, or other legislative act;

(g) A local government agency, whether in the legislative or executive branch of government, created by or pursuant to statute, executive order, ordinance, resolution, or other legislative act;

(h) An entity with a governing body, the majority of which is appointed by a public agency as defined in this subsection, by a state or local officer, or any combination thereof;

(i) A board, commission, committee, subcommittee, ad hoc committee, advisory committee, council, or agency established, created, and controlled by a public agency as defined in this subsection; or

(j) Any other publicly created entity of government;

(6) "Welding standards" means the specifications, guidelines, tests, and other methods used to develop a system of quality control to ensure that welding is conducted in such a manner that all welds must meet, at a minimum, standards established by the AWS, ASME, and the Kentucky Building Code;

➔SECTION 2. A NEW SECTION OF KRS CHAPTER 45A IS CREATED TO READ AS FOLLOWS:

Any public agency contracting for a capital construction project shall include the following provisions within the contract:

(1) Any welding that is performed shall meet ASME Section IX for piping, boilers, and similar pressure-containing components and AWS standards or their

equivalent for structural steel and all other nonpressure containing components,
as described in the Kentucky Building Code;

(2) Any welding that is performed shall be inspected by an inspector who is certified
by the AWS; and

(3) Any testing of welder and welding procedure tests for nonpressure components
shall be conducted at an AWS-accredited testing facility.