

1 AN ACT relating to state electrical standards for buildings.

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

3 ➔Section 1. KRS 227.480 is amended to read as follows:

- 4 (1) (a) A city, county, urban-county government, charter county, or consolidated
5 local government or the state shall, according to the Uniform State Building
6 Code as it pertains to the plan review and inspection responsibilities of local
7 governments or the state, require any person to obtain a permit before
8 commencing construction, alteration, or repairs of any electrical system.
- 9 (b) The city, county, urban-county government, charter county, or consolidated
10 local government or the state shall require all inspections that are deemed
11 necessary by the department for the safety of life and property. The
12 department shall promulgate administrative regulations to describe the
13 circumstances where inspections are required.
- 14 (2) A city, county, urban-county government, charter county, or consolidated local
15 government or the state shall not issue a permit unless the applicant submits proof
16 of being licensed as an electrical contractor under KRS Chapter 227A or of acting
17 on behalf of a licensed electrical contractor. However, the provisions of this
18 subsection shall not apply to:
- 19 (a) A homeowner or farmer who does construction, alteration, or repairs of any
20 electrical system on his or her own premises or any other person exempt from
21 licensing under KRS 227A.030 or 227A.150;
- 22 (b) Electrical work performed by the Commonwealth of Kentucky, a city, county,
23 urban-county government, charter county, or consolidated local government,
24 or any subdivision thereof;
- 25 (c) A company with a recently deceased licensed electrical contractor, which
26 shall be granted an interim period of up to one hundred eighty (180)
27 continuous calendar days by the city, county, urban-county government,

1 charter county, consolidated local government, or state to allow the company
2 to utilize the license of the deceased electrical contractor if:

- 3 1. The company effectuates and documents all necessary bonding and
4 insurance policies required by KRS Chapter 227A; and
- 5 2. Ensures that the bonding and insurance policies remain in effect for the
6 entirety of the interim period of time extended; or

7 (d) A disaster response business as defined in KRS 141.010.

8 (3) A city, county, urban-county government, charter county, or consolidated local
9 government shall appoint and may fix the compensation of city, county, urban-
10 county government, charter county, or consolidated local government electrical
11 inspectors, and may by ordinance fix reasonable fees and establish other
12 requirements for the conduct of electrical inspections within its boundaries. All
13 electrical inspectors shall be certified under KRS 227.489.

14 (4) Reasonable standards for the construction, alteration, and repair of any electrical
15 system shall be those adopted in the Uniform State Building Code, as promulgated
16 by the department, and shall **be designed after and may be selected from the**
17 **models offered by such model code agencies as the International Code Council,**
18 **Inc., the National Fire Protection Association, and other nationally recognized**
19 **organizations and**~~have as a minimum standard the requirements of the National~~
20 ~~Electrical Code, which~~ may include Kentucky amendments. These standards shall
21 be used by the electrical inspector in making ~~his~~ inspections.

22 ➔Section 2. KRS 198B.050 is amended to read as follows:

23 (1) The department shall adopt and promulgate a mandatory Uniform State Building
24 Code that establishes standards for the construction of all buildings, as defined in
25 KRS 198B.010, in the state. The code shall provide that the review and approval, as
26 necessary, of building plans for conformance with the Uniform State Building Code
27 prior to construction approval shall be conducted only by the department or a local

1 government or governments delegated such responsibilities by this chapter, and any
2 exceptions to this policy shall be explicitly stated in the code.

3 (2) The code shall be comprehensive and shall include but not be limited to provisions
4 for general construction; structural quality; mechanical systems to include heating,
5 cooling, and ventilation; electrical systems; and life safety from hazards of fire,
6 explosion, and other disasters, whether caused by acts of nature or man. The code
7 shall encompass the Kentucky State Plumbing Code promulgated pursuant to KRS
8 318.130, boiler rules and regulations issued pursuant to KRS 236.030, and the
9 ~~national~~ electrical code.

10 (3) This code shall be designed after and may be selected from the models offered by
11 such model code agencies as the International Code Council, Inc., the National Fire
12 Protection Association, and other nationally recognized organizations which may
13 include governmental agencies. The code shall:

14 (a) Provide uniform standards and requirements for construction and construction
15 materials;

16 (b) To the extent practicable, set forth standards, specifications, and requirements
17 in terms of performance objectives, so as to facilitate the use of new
18 technologies, techniques, and materials. The code shall not discriminate in
19 favor of particular suppliers' materials, techniques, or technologies; and

20 (c) Protect the public health, safety, and welfare within the state.

21 (4) The code shall include provisions for the continuing review and possible adoption
22 of new materials, technologies, and techniques in the building industry when
23 deemed justified by the department to fulfill the purposes of this chapter. The
24 department may adopt a model code promulgated by a model code agency only if
25 that agency provides a method for democratic participation by the department and
26 any local governments which may enforce the code, in a continuing review and
27 possible adoption of new materials, technologies, and techniques in the building

1 industry.

2 (5) The department shall promulgate administrative regulations, after notice in
3 accordance with KRS Chapter 13A, which are necessary to implement the Uniform
4 State Building Code or to carry out any other responsibility assigned to the
5 department by this chapter.

6 (6) The department shall monitor the effectiveness of agencies designated by local
7 governments to enforce the provisions of the Uniform State Building Code.

8 (7) If the department determines that an agency is not enforcing the provisions of the
9 Uniform State Building Code, it shall determine where deficiencies exist. The
10 department shall require the local government to correct the deficiencies within
11 sixty (60) days and report to the department its method of correcting the
12 deficiencies.

13 (8) If the local government fails to correct the deficiencies, the department may
14 preempt the local program as provided for in KRS 198B.060(4).

15 (9) The department shall provide for the supply, including amendments and revisions
16 thereto, of sufficient copies of the Uniform State Building Code for all interested
17 parties.

18 ➔Section 3. KRS 227.450 is amended to read as follows:

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

20 (1) "Alteration" means any change, modification, or adjustment to an existing electrical
21 system or conduit;

22 (2) "Commissioner" means the commissioner of the Department of Housing, Buildings
23 and Construction;

24 (3) "Department" means the Department of Housing, Buildings and Construction;

25 (4) "Division" means the Electrical Division within the department;

26 (5) **"Electrical" pertains to the installation, alteration, or repair of wires and**
27 **conduits for the purpose of transmitting electricity, and the installation of fixtures**

1 *and equipment in connection therewith;*

2 (6) "Electrical contractor" means any licensed individual, partnership, or corporation
3 that is licensed to engage in, offers to engage in, or advertises or holds itself out to
4 be qualified to engage in designing, planning, superintending, contracting of, or
5 assuming responsibility for the installation, alteration, or repair of any electrical
6 system used for the purpose of furnishing heat, light, or power, and employs
7 electrical workers to engage in this practice. If the electrical contractor is not a
8 master electrician, the electrical contractor shall employ at least one (1) full-time
9 master electrician;

10 (7) "Electrical inspector" means any person certified by the commissioner pursuant
11 to KRS 227.489 who, for compensation, inspects the construction and installation
12 of electrical conductors, fittings, devices, and fixtures for light, heat, or power
13 service equipment to ascertain the compliance with the Uniform State Building
14 Code promulgated pursuant to KRS 198B.050 or the standards of safety of the
15 Commonwealth of Kentucky;

16 ~~(8)(6)~~ "Electrical system" means any electrical work subject to standards~~[provided~~
17 ~~within the National Electrical Code as]~~ adopted in the Uniform State Building
18 Code, as promulgated by the department;

19 ~~(9)(7)~~ "Electrician" means any person licensed by the department who is employed
20 by an electrical contractor and is engaged in the construction, alteration, or repair of
21 any electrical system used for the purpose of furnishing heat, light, or power~~;~~

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

25 ~~(9)~~ "Electrical inspector" ~~means any person certified by the commissioner pursuant to~~
26 ~~KRS 227.489 who, for compensation, inspects the construction and installation of~~
27 ~~electrical conductors, fittings, devices, and fixtures for light, heat, or power service~~

1 ~~equipment to ascertain the compliance with the National Electrical Code~~
2 ~~incorporated in the Uniform State Building Code promulgated pursuant to KRS~~
3 ~~198B.050 or the standards of safety of the Commonwealth of Kentucky]; and~~

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

6 ➔Section 4. KRS 227.489 is amended to read as follows:

7 The commissioner shall require electrical inspectors to be certified. Examinations shall be
8 based on~~[the National Electrical Code incorporated in]~~ the Uniform State Building Code
9 and the standards of safety prescribed by the department. Electrical inspectors who have
10 been engaged in the inspection of electrical light and power wiring installations, based on
11 the requirements of the National Electrical Code, for a period of three (3) years, may be
12 certified on the basis of knowledge of this subject and experience. No certificate shall be
13 denied, suspended, or revoked unless the applicant or certificate holder is afforded the
14 opportunity for a hearing in accordance with KRS Chapter 13B.

15 ➔Section 5. KRS 227.810 is amended to read as follows:

16 (1) A ground-fault circuit-interrupter shall be installed on all existing and new
17 fountains and pools that are located in a public place within the Commonwealth, in
18 accordance with standards set forth in the *Uniform State Building Code*~~[National~~
19 ~~Electrical Code]~~ adopted by administrative regulations of the department.

20 (2) A state or local government agency shall not promulgate an administrative
21 regulation or ordinance to exempt any fountain or pool located in a public place
22 from the required installation of a ground-fault circuit-interrupter, regardless of the
23 age of construction of the fountain or pool.

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

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

26 (1) "Authorized local licensing program" means any city, county, urban-county
27 government, charter county, or consolidated local government electrician and

- 1 electrical contractor licensing program established by local ordinance for the
2 purpose of licensing electrical workers. "Authorized local licensing program" shall
3 include a licensing program established through a cooperative agreement between
4 two (2) or more counties;
- 5 (2) "Department" means the Department of Housing, Buildings and Construction;
- 6 (3) "Electrical" pertains to the installation, alteration, or repair of wires and conduits for
7 the purpose of transmitting electricity, and the installation of fixtures and equipment
8 in connection therewith;
- 9 (4) "Electrical contractor" means any licensed individual, partnership, or corporation
10 that is licensed to engage in, offers to engage in, or advertises or holds itself out to
11 be qualified to engage in designing, planning, superintending, contracting of, or
12 assuming responsibility for the installation, alteration, or repair of any electrical
13 system used for the purpose of furnishing heat, light, or power, and employs
14 electrical workers to engage in this practice. If the electrical contractor is not a
15 master electrician, the electrical contractor shall employ at least one (1) full-time
16 master electrician; however, no master electrician shall act in this capacity for more
17 than one (1) electrical contractor;
- 18 (5) "Electrical system" means any electrical work subject to standards~~[provided within~~
19 ~~the National Electrical Code as]~~ adopted in the Uniform State Building Code, as
20 promulgated by the department;
- 21 (6) "Electrician" means any person licensed by the department who is employed by an
22 electrical contractor and is engaged in the construction, alteration, or repair of any
23 electrical system used for the purpose of furnishing heat, light, or power;
- 24 (7) "Maintenance worker or maintenance engineer" means a person who is a regular,
25 bona fide employee or agent of a property owner, property lessor, property
26 management company, or firm that is not in the electrical business but has
27 jurisdiction over the property where the routine maintenance of electrical systems is

1 being performed;

2 (8) "Master electrician" means any individual licensed to engage in, and assume
3 responsible charge, supervision, or direction of an electrician engaged in the
4 construction, installation, alteration, or repair of any electrical system used to
5 furnish heat, light, or power;

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

8 (10) (a) "Routine maintenance of electrical systems" means the routine and periodic
9 servicing of electrical systems, including cleaning, inspecting, and making
10 adjustments to ensure the proper operation and the removal or replacement of
11 component parts.

12 (b) "Routine maintenance of electrical systems" does not include the installation
13 of complete electrical systems.