

HOUSE BILL NO. HB0140

Construction inspections-qualified third parties.

Sponsored by: Representative(s) Filer, Davis, Fornstrom, Geringer and Williams and Senator(s) Love and Pappas

A BILL

for

1 AN ACT relating to cities, towns and counties; authorizing
2 third parties to provide building permit inspections as
3 specified; providing definitions; specifying applicability;
4 and providing for an effective date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

7

8 **Section 1.** W.S. 15-1-513 and 18-5-209 are created to
9 read:

10

11 **15-1-513. Third party building permit inspections.**

12

13 (a) As used in this section:

14

1 (i) "Building permit inspection" means an
2 on-site examination of work performed under a building
3 permit for the purpose of determining compliance with the
4 applicable building codes, construction standards, local
5 ordinances, permit conditions or approval plans that the
6 local enforcement authority is authorized to administer or
7 enforce. "Building permit inspection" shall not include:

8
9 (A) Any inspection required by law to be
10 performed by the state;

11
12 (B) Final inspections required for issuance
13 of a certificate of occupancy.

14
15 (ii) "Delivered by electronic means" includes
16 delivery to an electronic mail address, submission through
17 an electronic permitting system or online portal or
18 delivery by any other electronic method approved by the
19 local enforcement authority;

20
21 (iii) "Local enforcement authority" means the
22 city or town, including a building official, department,
23 employee, contractor or any other person designated or

1 authorized by the city or town to administer or enforce
2 building codes or building permit requirements;

3

4 (iv) "Third party inspector" means an architect
5 licensed under title 33, chapter 4 of the Wyoming statutes,
6 a professional engineer licensed under title 33, chapter 29
7 of the Wyoming statutes or a person certified by the
8 International Code Council or the local enforcement
9 authority who performs building permit inspections and who
10 meets any additional qualification standards adopted by the
11 local enforcement authority. "Third party inspector" shall
12 not include:

13

14 (A) A person who prepared, stamped, signed
15 or was professionally responsible for the plans or
16 specifications for the work being inspected;

17

18 (B) A person who is an employee of or
19 otherwise affiliated with or financially interested in the
20 owner, developer, contractor or any person performing the
21 work being inspected.

22

1 (b) Notwithstanding any other provision of law, an
2 owner of a building or structure, or the owner's
3 contractor, upon written authorization from the owner, may
4 retain, at the owner's expense, a third party inspector to
5 perform building permit inspections for that building or
6 structure.

7

8 (c) If an owner or a contractor retains a third party
9 inspector for building permit inspections under subsection
10 (b) of this section, the owner or contractor shall provide
11 written notice to the local enforcement authority:

12

13 (i) At the time of filing the building permit
14 application that a third party inspector will perform all
15 required building permit inspections; or

16

17 (ii) Before each scheduled inspection by the
18 local enforcement authority, not later than the deadline
19 established by the local enforcement authority, that a
20 third party inspector will perform that required building
21 permit inspection.

22

1 (d) The written notice required under subsection (c)
2 of this section shall identify the name of the third party
3 inspector and the inspection or inspections that the third
4 party inspector will perform. The written notice required
5 under subsection (c) of this section may be delivered by
6 electronic means.

7

8 (e) The owner or contractor shall provide written
9 notice to the local enforcement authority of any changes in
10 the building permit inspections to be performed by the
11 third party inspector not later than the deadline
12 established by the local enforcement authority. The written
13 notice required under this subsection may be delivered by
14 electronic means.

15

16 (f) Each third party inspector shall provide a copy
17 of each inspection report to the local enforcement
18 authority not later than the deadline established by the
19 local enforcement authority. Each local enforcement
20 authority may establish minimum requirements for inspection
21 reports submitted under this subsection. The inspection
22 report required under this subsection may be delivered by
23 electronic means. Not later than the deadline established

1 by the local enforcement authority after receipt of the
2 inspection report, the local enforcement authority shall
3 accept the inspection report.

4

5 (g) Each local enforcement authority shall establish
6 and publish deadlines and requirements for all notices and
7 inspection reports required under this section.

8

9 (h) Each third party inspector shall maintain
10 liability insurance as follows:

11

12 (i) A third party inspector who is an architect
13 licensed under title 33, chapter 4 of the Wyoming statutes
14 or a professional engineer licensed under title 33, chapter
15 29 of the Wyoming statutes shall maintain professional
16 liability insurance in an amount of not less than one
17 million dollars (\$1,000,000.00) per claim;

18

19 (ii) A third party inspector who is certified by
20 the International Code Council or the local enforcement
21 authority shall maintain general liability insurance in an
22 amount of not less than one million dollars (\$1,000,000.00)
23 per claim.

1

2 (j) Not later than the deadline established by the
3 local enforcement authority, each third party inspector
4 shall provide written notice of the third party inspector's
5 insurance coverage as required under subsection (h) of this
6 section, including the insurer and the insurance coverage
7 amount.

8

9 (k) Nothing in this section shall be construed to
10 authorize any third party inspector to issue a certificate
11 of occupancy. A certificate of occupancy shall only be
12 issued by the local enforcement authority. A local
13 enforcement authority may rely on third party inspection
14 reports to the extent the inspection reports were not
15 rejected by the local enforcement authority and the
16 inspection reports relate to inspections other than the
17 final inspection required for issuance of a certificate of
18 occupancy. The final inspection for a certificate of
19 occupancy shall be performed by the local enforcement
20 authority.

21

22 **18-5-209. Third party building permit inspections.**

23

1 (a) As used in this section:

2

3 (i) "Building permit inspection" means an
4 on-site examination of work performed under a building
5 permit for the purpose of determining compliance with the
6 applicable building codes, construction standards, local
7 ordinances, permit conditions or approval plans that the
8 local enforcement authority is authorized to administer or
9 enforce. "Building permit inspection" shall not include:

10

11 (A) Any inspection required by law to be
12 performed by the state;

13

14 (B) Final inspections required for issuance
15 of a certificate of occupancy.

16

17 (ii) "Delivered by electronic means" includes
18 delivery to an electronic mail address, submission through
19 an electronic permitting system or online portal or
20 delivery by any other electronic method approved by the
21 local enforcement authority;

22

1 (iii) "Local enforcement authority" means the
2 county, including a building official, department,
3 employee, contractor or any other person designated or
4 authorized by the county to administer or enforce building
5 codes or building permit requirements;

6
7 (iv) "Third party inspector" means an architect
8 licensed under title 33, chapter 4 of the Wyoming statutes,
9 a professional engineer licensed under title 33, chapter 29
10 of the Wyoming statutes or a person certified by the
11 International Code Council or the local enforcement
12 authority who performs building permit inspections and who
13 meets any additional qualification standards adopted by the
14 local enforcement authority. "Third party inspector" shall
15 not include:

16
17 (A) A person who prepared, stamped, signed
18 or was professionally responsible for the plans or
19 specifications for the work being inspected;

20
21 (B) A person who is an employee of or
22 otherwise affiliated with or financially interested in the

1 owner, developer, contractor or any person performing the
2 work being inspected.

3

4 (b) Notwithstanding any other provision of law, an
5 owner of a building or structure, or the owner's
6 contractor, upon written authorization from the owner, may
7 retain, at the owner's expense, a third party inspector to
8 perform building permit inspections for that building or
9 structure.

10

11 (c) If an owner or a contractor retains a third party
12 inspector for building permit inspections under subsection
13 (b) of this section, the owner or contractor shall provide
14 written notice to the local enforcement authority:

15

16 (i) At the time of filing the building permit
17 application that a third party inspector will perform all
18 required building permit inspections; or

19

20 (ii) Before each scheduled inspection by the
21 local enforcement authority, not later than the deadline
22 established by the local enforcement authority, that a

1 third party inspector will perform that required building
2 permit inspection.

3

4 (d) The written notice required under subsection (c)
5 of this section shall identify the name of the third party
6 inspector and the inspection or inspections that the third
7 party inspector will perform. The written notice required
8 under subsection (c) of this section may be delivered by
9 electronic means.

10

11 (e) The owner or contractor shall provide written
12 notice to the local enforcement authority of any changes in
13 the building permit inspections to be performed by the
14 third party inspector not later than the deadline
15 established by the local enforcement authority. The written
16 notice required under this subsection may be delivered by
17 electronic means.

18

19 (f) Each third party inspector shall provide a copy
20 of each inspection report to the local enforcement
21 authority not later than the deadline established by the
22 local enforcement authority. Each local enforcement
23 authority may establish minimum requirements for inspection

1 reports submitted under this subsection. The inspection
2 report required under this subsection may be delivered by
3 electronic means. Not later than the deadline established
4 by the local enforcement authority after receipt of the
5 inspection report, the local enforcement authority shall
6 accept the inspection report.

7

8 (g) Each local enforcement authority shall establish
9 and publish deadlines and requirements for all notices and
10 inspection reports required under this section.

11

12 (h) Each third party inspector shall maintain
13 liability insurance as follows:

14

15 (i) A third party inspector who is an architect
16 licensed under title 33, chapter 4 of the Wyoming statutes
17 or a professional engineer licensed under title 33, chapter
18 29 of the Wyoming statutes shall maintain professional
19 liability insurance in an amount of not less than one
20 million dollars (\$1,000,000.00) per claim;

21

22 (ii) A third party inspector who is certified by
23 the International Code Council or the local enforcement

1 authority shall maintain general liability insurance in an
2 amount of not less than one million dollars (\$1,000,000.00)
3 per claim.

4

5 (j) Not later than the deadline established by the
6 local enforcement authority, each third party inspector
7 shall provide written notice of the third party inspector's
8 insurance coverage as required under subsection (h) of this
9 section, including the insurer and the insurance coverage
10 amount.

11

12 (k) Nothing in this section shall be construed to
13 authorize any third party inspector to issue a certificate
14 of occupancy. A certificate of occupancy shall only be
15 issued by the local enforcement authority. A local
16 enforcement authority may rely on third party inspection
17 reports to the extent the inspection reports were not
18 rejected by the local enforcement authority and the
19 inspection reports relate to inspections other than the
20 final inspection required for issuance of a certificate of
21 occupancy. The final inspection for a certificate of
22 occupancy shall be performed by the local enforcement
23 authority.

1

2 **Section 2.** This act shall apply to building permit
3 applications filed on or after July 1, 2026.

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5 **Section 3.** This act is effective July 1, 2026.

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(END)