

ENGROSSED SENATE
BILL NO. 290

By: Snyder of the Senate

and

Davis of the House

An Act relating to state government; amending 74 O.S. 1991, Section 324.8, which relates to uniform force and effect of certain standards; defining bed and breakfast establishment; exempting bed and breakfast establishments from certain standards adopted by the State Fire Marshal Commission; exempting bed and breakfast establishments from certain standards adopted by municipalities, subdivisions, cities, towns or counties; updating statutory reference; providing for codification; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 317.1 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. For purposes of this section, "bed and breakfast establishment" means a private, owner-occupied house where sleeping accommodations of four rooms or less are available for transient guests for pay, maximum guest occupancy not to exceed the total of

two guests per room, and where breakfast only is included in the rent.

B. Bed and breakfast establishments shall be exempt from standards adopted by the State Fire Marshal Commission, including but not limited to standards published by the National Fire Protection Association, the Building Officials and Code Administrators (BOCA) National Building Code and the Life Safety Code, as it relates to sprinkler system and exit requirements only.

SECTION 2. AMENDATORY 74 O.S. 1991, Section 324.8, is amended to read as follows:

Section 324.8 A. The rules and regulations promulgated pursuant to Section 324.1 et seq. of this act title, shall have uniform force and effect throughout the state and no municipality or subdivision shall enact or enforce any ordinances, rules or regulations for construction of or major alterations to buildings with standards other than the Building Officials and Code Administrators (BOCA) National Building Code, as last adopted by the Fire Marshal Commission, except that a municipality or subdivision which requires permits for construction of or major alterations to buildings may elect to adopt, by ordinance, any other recognized national building code, in lieu of the Building Officials and Code Administrators (BOCA) National Building Code. Provided, nothing in this act shall prevent or take away from any city, town or county, the authority to enact and enforce rules and regulations containing higher standards and requirements than those provided herein nor prevent or take away from any city, town or county the authority to amend such adopted codes to make changes necessary to accommodate local conditions. And provided further, that nothing in this act shall in any way impair the power of any municipality, county or subdivision to regulate the use of land by zoning, building codes or restricted fire district regulations.

B. Provided, however, bed and breakfast establishments, as defined in Section 1 of this act, shall be exempt from the provisions of this section as it relates to sprinkler system and exit requirements only.

SECTION 3. This act shall become effective July 1, 1995.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 20th day of February, 1995.

President of the Senate

Passed the House of Representatives the ____ day of _____, 1995.

Speaker of the House of Representatives