

STATE OF OKLAHOMA

2nd Session of the 49th Legislature (2004)

COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 2627

By: Miller (Doug)

COMMITTEE SUBSTITUTE

An Act relating to professions and occupations; amending 59 O.S. 2001, Section 858-623, as amended by Section 1, Chapter 449, O.S.L. 2002 (O.S. Supp. 2003, Section 858-623), which relates to home inspections; requiring certain inspection to be performed by a professional craftsman or person qualified by education or training; requiring single-item inspector to be licensed under certain circumstances; and providing an effective date.

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

SECTION 1. AMENDATORY 59 O.S. 2001, Section 858-623, as amended by Section 1, Chapter 449, O.S.L. 2002 (59 O.S. Supp. 2003, Section 858-623), is amended to read as follows:

Section 858-623. A. On and after July 1, 2003, it shall be unlawful for an individual to conduct, for compensation, a home inspection or to advertise or otherwise hold themselves out to be in the business of home inspection in this state unless licensed pursuant to the Home Inspection Licensing Act.

B. The Home Inspection Licensing Act shall not apply to:

1. Individuals inspecting new residential construction;
2. Architects;
3. Engineers;
4. Individuals holding other occupational licenses who only do home inspections within the occupational confines of that license;
5. Government employees who perform inspections when acting within the scope of their employment; or

6. Persons regulated by the State Board of Agriculture who issue wood infestation reports as defined in Section 3-81 of Title 2 of the Oklahoma Statutes.

C. Any single-item inspection requested by a client, whether or not the item to be inspected is specifically included or excluded in the definition of home inspection pursuant to Section 858-622 of this title, shall be performed by a professional craftsman whose expertise is in the specific area or by persons qualified by education or training to conduct that specific inspection. If a single-item that has been requested for inspection is an area of expertise that is licensed by the state, then that person conducting the inspection shall be licensed in respect to that particular area.

SECTION 2. This act shall become effective November 1, 2004.

49-2-8576

MD

02/19/04