

ENGROSSED SENATE  
BILL NO. 460

By: Morgan of the Senate

and

Ingmire of the House

An Act relating to state government; amending 74 O.S. 2001, Section 324.8, which relates to uniform force and effect of building and fire codes; adding exception for municipalities that have enacted certain building and fire codes; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 74 O.S. 2001, Section 324.8, is amended to read as follows:

Section 324.8 The rules promulgated pursuant to Section 324.1 et seq. of this title shall have uniform force and effect throughout the state and no municipality or subdivision shall enact or enforce any ordinances, rules 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 State 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, a renovation code for existing buildings approved by the Office of the State Fire Marshal as an equivalent code to the existing building provisions of the state-adopted building code, or 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 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. And provided further, that this act shall not apply to municipalities that have adopted a national building code recognized in Section 14-107 of Title 11 of the Oklahoma Statutes.

SECTION 2. This act shall become effective July 1, 2005.

SECTION 3. 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 15th day of March, 2005.

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Presiding Officer of the Senate

Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
2005.

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Presiding Officer of the House  
of Representatives