

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 COMMITTEE SUBSTITUTE  
4 FOR ENGROSSED  
5 SENATE BILL NO. 2099

By: Brogdon of the Senate

and

Jordan of the House

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9 COMMITTEE SUBSTITUTE

10 An Act relating to professions and occupations;  
11 amending Section 7, Chapter 439, O.S.L. 2009 (59 O.S.  
12 Supp. 2009, Section 1000.25), which relates to the  
13 Oklahoma Uniform Building Code Commission Act;  
14 changing where certain fees shall be remitted; and  
15 declaring an emergency.

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

17 SECTION 1. AMENDATORY Section 7, Chapter 439, O.S.L.  
18 2009 (59 O.S. Supp. 2009, Section 1000.25), is amended to read as  
19 follows:

20 Section 1000.25 A. The Oklahoma Uniform Building Code  
21 Commission shall establish a system of fees to be charged for the  
22 issuance and renewal of any construction permits issued by any  
23 agency, municipality, or other political subdivision of this state.

24 B. This provision is subject to the following limitations:

1 1. No schedule of fees may be established or amended by the  
2 Commission except during such times as the Legislature is in  
3 session; provided, the Commission may establish or amend a schedule  
4 of fees at a time when the Legislature is not in session if the fees  
5 or schedule of fees has been specifically authorized by the  
6 Legislature pursuant to paragraphs 2 and 3 of this subsection. The  
7 Commission must follow the procedures required by Article I of the  
8 Administrative Procedures Act for adoption of rules in establishing  
9 or amending any such schedule of fees;

10 2. The Commission shall charge fees for building permits and  
11 renewal of such permits issued by any state agency, municipality, or  
12 other political subdivision of this state which authorized work  
13 governed by codes within the purview of the Commission only within  
14 the following ranges:

- |    |                        |                      |
|----|------------------------|----------------------|
| 15 | For issuance of permit | not to exceed \$5.00 |
| 16 | For renewal of permit  | not to exceed \$5.00 |

17 3. Such fees shall be collected by any state agency,  
18 municipality or other political subdivision issuing construction  
19 permits within this state. The fees shall be deposited in an  
20 account created by the collecting entity for that purpose;

21 4. The state agency, municipality or other political  
22 subdivision shall remit the monies in the account on a monthly basis  
23 directly to the ~~State Treasury~~ Oklahoma Uniform Building Code  
24 Commission for deposit in the Oklahoma Uniform Building Code

1 Commission Revolving Fund created pursuant to Section ~~10~~ 1000.28 of  
2 this ~~act~~ title. Along with the deposits required by this paragraph,  
3 each state agency, municipality or other political subdivision shall  
4 also submit a report stating the total amount of funds collected and  
5 the total number of fees imposed during the preceding month. The  
6 report shall be made on computerized or manual disposition reports  
7 as provided by rule of the Commission;

8       5. Deposits to the Oklahoma Uniform Building Code Commission  
9 Revolving Fund shall be due on the twentieth day of each month for  
10 the fees collected during the preceding calendar month. There shall  
11 be a late fee imposed for failure to make timely deposits. The  
12 Oklahoma Uniform Building Code Commission, in its discretion, may  
13 waive all or part of the late fee. Such late fee shall be one  
14 percent (1%) of the principal amount due per day beginning from the  
15 tenth day after payment is due and accumulating until the late fee  
16 reaches one hundred percent (100%) of the principal amount due;

17       6. Any state agency, municipality or other political  
18 subdivision collecting and remitting fees pursuant to this section  
19 may levy a fee up to fifty cents (\$.50) for every construction  
20 permit or renewal permit issued. These monies shall be deposited  
21 into an account for the sole use of the state agency, municipality  
22 or other political subdivision. The state agency, municipality or  
23 other political subdivision shall state the total amount of funds  
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1 collected and the total number of fees imposed to the State Treasury  
2 in the report required by paragraph 4 of this section;

3 7. It shall be the responsibility of the state agency,  
4 municipality or other political subdivision to account for and  
5 ensure the correctness and accuracy of payments made to the State  
6 Treasury pursuant to this title; and

7 8. Funds collected by a state agency, municipality or other  
8 political subdivision and remitted to the State Treasury pursuant to  
9 the Oklahoma Uniform Building Code Commission Act shall be deposited  
10 in the Oklahoma Uniform Building Code Commission Revolving Fund and  
11 shall be used solely for the purposes of the Oklahoma Uniform  
12 Building Code Commission Act.

13 SECTION 2. It being immediately necessary for the preservation  
14 of the public peace, health and safety, an emergency is hereby  
15 declared to exist, by reason whereof this act shall take effect and  
16 be in full force from and after its passage and approval.

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