

1 ENGROSSED SENATE
2 BILL NO. 1900

By: Coates, Burrage, Gumm and
Barrington of the Senate

3 and

4 Jett and Jones of the House

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6
7 [cities and towns - residential building permits -
8 effective date]
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11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 1. AMENDATORY Section 1, Chapter 206, O.S.L.
13 2009 (11 O.S. Supp. 2009, Section 43-109.2), is amended to read as
14 follows:

15 Section 43-109.2 A. Any entity that issues building permits
16 shall, before issuance of a residential building permit, obtain a
17 certificate of insurance from the appropriate insurer that the
18 contractor has general liability insurance in an amount required by
19 other construction trade contractors licensed by the Construction
20 Industries Board and that the contractor has workers' compensation
21 insurance or a workers' compensation exemption verification
22 document. A residential building permit shall be defined for this
23 section as any building permit for a single-family or a duplex
24 residential structure and shall include construction of a new

1 structure, remodel of an existing structure, and the addition to an
2 existing structure. Not included under the definition of a
3 residential building permit are a single-family or a duplex carport,
4 patio cover, storage building, accessory building, pool, or fence.

5 B. This provision shall not apply to a person or persons
6 performing the construction or remodeling to his, her, or their own
7 existing single-family or duplex structure on his, her, or their own
8 property, unless the modifications are being performed by and the
9 permit acquired by a general contractor or subcontractor, in which
10 case the general contractor or subcontractor shall meet the
11 requirements set forth in this section.

12 C. If the entity should require a contractor to register in
13 order to monitor insurance verifications, the registration fee shall
14 not exceed the fee assessed by the entity for other construction
15 trade contractors licensed by the Construction Industries Board.

16 D. The entity shall not be liable if the documentation provided
17 is false or if the general liability insurance or workers'
18 compensation insurance lapses after the building permit is issued.

19 E. If an entity issues occupancy permits subsequent to the
20 issuance of a building permit as provided in subsection A of this
21 section, before issuance of such occupancy permit, the entity shall
22 obtain verification that the owner, contractor or subcontractor has
23 remitted any sales tax required by Section 1354 of Title 68 of the

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1 Oklahoma Statutes or use tax required by Section 1402 of Title 68 of
2 the Oklahoma Statutes.

3 SECTION 2. This act shall become effective November 1, 2010.

4 Passed the Senate the 2nd day of March, 2010.

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Presiding Officer of the Senate

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8 Passed the House of Representatives the ____ day of _____,

9 2010.

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Presiding Officer of the House
of Representatives

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