

THE HOUSE OF REPRESENTATIVES
Monday, April 12, 2010

Committee Substitute for
ENGROSSED
Senate Bill No. 2099

COMMITTEE SUBSTITUTE FOR ENGROSSED SENATE BILL NO. 2099 - By:
BROGDON of the Senate and JORDAN of the House.

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

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

- 1 SECTION 1. AMENDATORY Section 7, Chapter 439, O.S.L. 2009 (59 O.S.
2 Supp. 2009, Section 1000.25), is amended to read as follows:
3 Section 1000.25 A. The Oklahoma Uniform Building Code Commission shall
4 establish a system of fees to be charged for the issuance and renewal of any construction
5 permits issued by any agency, municipality, or other political subdivision of this state.
6 B. This provision is subject to the following limitations:
7 1. No schedule of fees may be established or amended by the Commission except
8 during such times as the Legislature is in session; provided, the Commission may
9 establish or amend a schedule of fees at a time when the Legislature is not in session if
10 the fees or schedule of fees has been specifically authorized by the Legislature pursuant

1 to paragraphs 2 and 3 of this subsection. The Commission must follow the procedures
2 required by Article I of the Administrative Procedures Act for adoption of rules in
3 establishing or amending any such schedule of fees;

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

8 For issuance of permit	not to exceed \$5.00
9 For renewal of permit	not to exceed \$5.00

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

13 4. The state agency, municipality or other political subdivision shall remit the
14 monies in the account on a monthly basis directly to the ~~State Treasury~~ Oklahoma
15 Uniform Building Code Commission for deposit in the Oklahoma Uniform Building Code
16 Commission Revolving Fund created pursuant to Section ~~10~~ 1000.28 of this ~~act~~ title.
17 Along with the deposits required by this paragraph, each state agency, municipality or
18 other political subdivision shall also submit a report stating the total amount of funds
19 collected and the total number of fees imposed during the preceding month. The report
20 shall be made on computerized or manual disposition reports as provided by rule of the
21 Commission;

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

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

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

19 8. Funds collected by a state agency, municipality or other political subdivision and
20 remitted to the State Treasury pursuant to the Oklahoma Uniform Building Code
21 Commission Act shall be deposited in the Oklahoma Uniform Building Code Commission

1 Revolving Fund and shall be used solely for the purposes of the Oklahoma Uniform
2 Building Code Commission Act.

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

6 COMMITTEE REPORT BY: COMMITTEE ON ECONOMIC DEVELOPMENT AND
7 FINANCIAL SERVICES, dated 04-08-10 - DO PASS, As Amended.