

ESB 1182

THE HOUSE OF REPRESENTATIVES
Thursday, April 2, 2009

ENGROSSED
Senate Bill No. 1182
As Amended

ENGROSSED SENATE BILL NO. 1182 - By: BROGDON of the Senate and JORDAN of the House.

(state government - creating the Oklahoma Uniform Building Code
Commission - codification -
effective date)

1 SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma
2 Statutes as Section 1000.20 of Title 59, unless there is created a duplication in
3 numbering, reads as follows:
4 The Oklahoma Legislature hereby finds that currently in the construction and
5 building code adoption process, there is a lack of communication between various
6 adoption authorities and between those authorities and the industry or industries
7 affected by such codes. The adoption process and review is lengthy and does not reach or
8 include all affected parties. This results in unintended consequences in blanket code
9 adoption, outdated codes being used in some areas of the state, inconsistent
10 interpretations of codes and, perhaps most notably, insufficient consumer education.
11 Therefore, the purpose of this act is to establish uniform building standards through a
12 unified process to code development and adoption in this state and to give all

1 stakeholders the opportunity to provide input without eroding the effectiveness of
2 existing safety provisions and professional standards.

3 SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma
4 Statutes as Section 1000.21 of Title 59, unless there is created a duplication in
5 numbering, reads as follows:

6 A. There is hereby created the Oklahoma Uniform Building Code Commission,
7 within the Oklahoma Department of Commerce, which shall consist of eleven (11)
8 members, eight of whom shall be appointed by the Governor.

9 The Governor shall appoint initially three members who shall serve for three (3)
10 years, three members who shall serve for four (4) years and two members who shall serve
11 for five (5) years. Such members shall serve until a successor has been appointed. After
12 the initial terms are served, the successors shall serve a term of (5) years.

13 The appointed members shall be as follows:

- 14 1. One member who is from a statewide organization that represents residential
15 construction;
- 16 2. One member who is a general contractor from a statewide organization that
17 represents commercial construction;
- 18 3. One member who is from an organization that represents electrical contractors;
- 19 4. One member who is from an organization that represents plumbing contractors;
- 20 5. One member who is from an organization that represents heating and cooling
21 contractors;

1 6. One member who is a local-level regulator/inspector that is a member of a
2 municipal organization with statewide membership;

3 7. One member who is a Certified Building Official employed by a political
4 subdivision; and

5 8. One member who is from the general public without prior direct ties to either the
6 construction industry or government.

7 No appointed member shall serve more than two consecutive terms, provided such a
8 member shall be eligible to be reappointed after a one-year absence from the
9 Commission. Appointed members of the Commission shall receive no compensation for
10 serving, but shall receive reimbursement for their necessary travel expenses incurred in
11 the performance of their duties.

12 B. The remaining three members of the Commission shall be the State Fire
13 Marshal, or a designee, the Administrator of the Construction Industries Board, or a
14 designee and the Commissioner of Labor, or a designee.

15 SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma
16 Statutes as Section 1000.22 of Title 59, unless there is created a duplication in
17 numbering, reads as follows:

18 A. The Oklahoma Uniform Building Code Commission shall have the power and
19 the duty to review and recommend for adoption, either in whole or in part, to the
20 Oklahoma Legislature, the building codes for residential and commercial construction to
21 be used by all entities within this state. Codes and standards recommended by the

1 Commission and adopted, in whole or in part, by legislative action, shall be the default
2 health, safety and welfare and/or minimum safety standard of this state.

3 B. All public projects shall abide by such minimum safety standards and
4 requirements.

5 C. Municipalities and other political subdivisions shall abide by such minimum
6 safety standards and requirements, provided, nothing in this act shall prevent or take
7 away from such municipalities and other political subdivisions the authority to enact and
8 enforce requirements containing higher standards and requirements than such minimum
9 safety standards and requirements.

10 SECTION 4. This act shall become effective November 1, 2009.

11 COMMITTEE REPORT BY: COMMITTEE ON ECONOMIC DEVELOPMENT AND
12 FINANCIAL SERVICES, dated 04-01-09 - DO PASS, As Amended.