

THE HOUSE OF REPRESENTATIVES
Wednesday, March 24, 2010

ENGROSSED
Senate Bill No. 1369

ENGROSSED SENATE BILL NO. 1369 - By: LEFTWICH AND COATES of the Senate and JORDAN of the House.

An Act relating to cities and towns; amending Section 1, Chapter 206, O.S.L. 2009 (11 O.S. Supp. 2009, Section 43-109.2), which relates to residential building permits; clarifying certain exemption; and declaring an emergency.

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

1 SECTION 1. AMENDATORY Section 1, Chapter 206, O.S.L. 2009 (11 O.S.
2 Supp. 2009, Section 43-109.2), is amended to read as follows:
3 Section 43-109.2 A. Any entity that issues building permits shall, before issuance
4 of a residential building permit, obtain a certificate of insurance from the appropriate
5 insurer that the contractor has general liability insurance in an amount required by
6 other construction trade contractors licensed by the Construction Industries Board and
7 that the contractor has workers' compensation insurance or a workers' compensation
8 exemption verification document. A residential building permit shall be defined for this
9 section as any building permit for a single-family or a duplex residential structure and
10 shall include construction of a new structure, remodel of an existing structure, and the
11 addition to an existing structure. Not included under the definition of a residential

1 building permit are a single-family or a duplex carport, patio cover, storage building,
2 accessory building, pool, or fence.

3 B. This provision shall not apply to a person or persons performing the construction
4 or remodeling to his, her, or their own ~~existing~~ single-family or duplex structure on their
5 own property regardless if the construction or remodeling is to a single family or duplex
6 structure that is also for rental purposes, unless the modifications are being performed
7 by and the permit is acquired by a general contractor or subcontractor, in which case the
8 general contractor or subcontractor shall meet the requirements set forth in subsection A
9 of this section.

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

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

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

19 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT, dated 03-
20 23-10 - DO PASS.