

ESB 1900

THE HOUSE OF REPRESENTATIVES
Wednesday, March 24, 2010

ENGROSSED
Senate Bill No. 1900
As Amended

ENGROSSED SENATE BILL NO. 1900 - By: COATES, BURRAGE, GUMM AND BARRINGTON of the Senate and JETT, JONES AND HARRISON of the House.

[cities and towns - residential building permits - effective date]

~~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 his,
5 her, or their own property, unless the modifications are being performed by and the
6 permit acquired by a general contractor or subcontractor, in which case the general
7 contractor or subcontractor shall meet the requirements set forth in this section.

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

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

14 E. If an entity issues occupancy permits subsequent to the issuance of a building
15 permit as provided in subsection A of this section, before issuance of such occupancy
16 permit, the entity shall obtain verification that the owner, contractor or subcontractor
17 has remitted any sales tax required by Section 1354 of Title 68 of the Oklahoma Statutes
18 or use tax required by Section 1402 of Title 68 of the Oklahoma Statutes.

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

20 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT, dated 03-
21 23-10 - DO PASS, As Amended and Coauthored.