

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 SENATE BILL 1182

By: Brogdon

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6 AS INTRODUCED

7 An Act relating to state government; stating
8 legislative findings; stating purpose; creating the
9 Oklahoma Uniform Building Code Commission; providing
10 for membership, appointment, terms and
11 qualifications; providing powers and duties of the
12 Commission; providing for certain codes and standards
13 to be certain minimum safety standards; requiring
14 state projects to abide by such standards; requiring
15 municipalities and political subdivisions to abide by
16 such standards; authorizing certain higher standards
17 and requirements; providing for codification; and
18 providing an effective date.

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

20 SECTION 1. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 1000.20 of Title 59, unless
22 there is created a duplication in numbering, reads as follows:

23 The Oklahoma Legislature hereby finds that currently in the
24 construction and building code adoption process, there is a lack of
communication between various adoption authorities and between those
authorities and the industry or industries affected by such codes.
The adoption process and review is lengthy and does not reach or
include all affected parties. This results in unintended

1 consequences in blanket code adoption, outdated codes being used in
2 some areas of the state, inconsistent interpretations of codes and,
3 perhaps most notably, insufficient consumer education. Therefore,
4 the purpose of this act is to establish uniform building standards
5 through a unified process to code development and adoption in this
6 state and to give all stakeholders the opportunity to provide input
7 without eroding the effectiveness of existing safety provisions and
8 professional standards.

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

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

16 The Governor shall appoint initially three members who shall
17 serve for three (3) years, three members who shall serve for four
18 (4) years and two members who shall serve for five (5) years. Such
19 members shall serve until a successor has been appointed. After the
20 initial terms are served, the successors shall serve a term of (5)
21 years.

22 The appointed members shall be as follows:

23 1. One member who is from a statewide organization that
24 represents residential construction;

1 2. One member who is a general contractor from a statewide
2 organization that represents commercial construction;

3 3. One member who is from an organization that represents
4 electrical contractors;

5 4. One member who is from an organization that represents
6 plumbing contractors;

7 5. One member who is from an organization that represents
8 heating and cooling contractors;

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

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

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

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

21 B. The remaining three members of the Commission shall be the
22 State Fire Marshall, or a designee, the Administrator of the
23 Construction Industries Board, or a designee and the Commissioner of
24 Labor, or a designee.

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

4 A. The Oklahoma Uniform Building Code Commission shall have the
5 power and the duty to review and recommend for adoption, either in
6 whole or in part, to the Oklahoma Legislature, the building codes
7 for residential and commercial construction to be used by all
8 entities within this state. Codes and standards recommended by the
9 Commission and adopted, in whole or in part, by legislative action,
10 shall be the default health, safety and welfare and/or minimum
11 safety standard of this state.

12 B. All public projects shall abide by such minimum safety
13 standards and requirements.

14 C. Municipalities and other political subdivisions shall abide
15 by such minimum safety standards and requirements, provided, nothing
16 in this act shall prevent or take away from such municipalities and
17 other political subdivisions the authority to enact and enforce
18 requirements containing higher standards and requirements than such
19 minimum safety standards and requirements.

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

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