

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 SENATE BILL 1900

By: Coates

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5
6 AS INTRODUCED

7 An Act relating to cities and towns; amending Section
8 1, Chapter 206, O.S.L. 2009 (11 O.S. Supp. 2009,
9 Section 43-109.2), which relates to residential
10 building permits; requires entity issuing permit to
11 verify payment of sales and use taxes; and providing
12 effective date.

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

14 SECTION 1. AMENDATORY Section 1, Chapter 206, O.S.L.
15 2009 (11 O.S. Supp. 2009, Section 43-109.2), is amended to read as
16 follows:

17 Section 43-109.2 A. Any entity that issues building permits
18 shall, before issuance of a residential building permit, obtain a
19 certificate of insurance from the appropriate insurer that the
20 contractor has general liability insurance in an amount required by
21 other construction trade contractors licensed by the Construction
22 Industries Board and that the contractor has workers' compensation
23 insurance or a workers' compensation exemption verification
24 document. A residential building permit shall be defined for this
section as any building permit for a single-family or a duplex

1 residential structure and shall include construction of a new
2 structure, remodel of an existing structure, and the addition to an
3 existing structure. Not included under the definition of a
4 residential building permit are a single-family or a duplex carport,
5 patio cover, storage building, accessory building, pool, or fence.

6 B. This provision shall not apply to a person or persons
7 performing the construction or remodeling to his, her, or their own
8 existing single-family or duplex structure on his, her, or their own
9 property, unless the modifications are being performed by and the
10 permit acquired by a general contractor or subcontractor, in which
11 case the general contractor or subcontractor shall meet the
12 requirements set forth in this section.

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

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

20 E. If an entity issues occupancy permits subsequent to the
21 issuance of a building permit as provided in subsection A of this
22 section, before issuance of such occupancy permit, the entity shall
23 obtain verification that the owner, contractor or subcontractor has
24 remitted any sales tax required by Section 1354 of Title 68 of the

1 Oklahoma Statutes or use tax required by Section 1402 of Title 68 of
2 the Oklahoma Statutes.

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

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