

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 COMMITTEE SUBSTITUTE

4 FOR

HOUSE BILL NO. 2659

By: Jordan

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7 COMMITTEE SUBSTITUTE

8 An Act relating to professions and occupations;
9 amending 59 O.S. 2011, Section 1000.25, which relates
10 to the Oklahoma Uniform Building Code Commission Act;
11 requiring fees be remitted to the Commission within
12 time prescribed; providing for late fee; requiring
13 semiannual report; and providing an effective date.

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

15 SECTION 1. AMENDATORY 59 O.S. 2011, Section 1000.25, is
16 amended to read as follows:

17 Section 1000.25 A. The Oklahoma Uniform Building Code
18 Commission shall establish a system of fees to be charged for the
19 issuance and renewal of any construction permits issued by any
20 agency, municipality, or other political subdivision of this state.

21 B. This provision is subject to the following limitations:

22 1. No schedule of fees may be established or amended by the
23 Commission except during such times as the Legislature is in
24 session; provided, the Commission may establish or amend a schedule
of fees at a time when the Legislature is not in session if the fees

1 or schedule of fees has been specifically authorized by the
2 Legislature pursuant to paragraphs 2 and 3 of this subsection. The
3 Commission must follow the procedures required by Article I of the
4 Administrative Procedures Act for adoption of rules in establishing
5 or amending any such schedule of fees;

6 2. The Commission shall charge fees for building permits and
7 renewal of such permits issued by any state agency, municipality, or
8 other political subdivision of this state which authorized work
9 governed by codes within the purview of the Commission only within
10 the following ranges:

11 For issuance of permit not to exceed \$5.00

12 For renewal of permit not to exceed \$5.00

13 Fees shall be remitted to the Oklahoma Uniform Building Code
14 Commission thirty (30) days after the end of the preceding calendar
15 month. Past-due payments shall be charged a late fee of one percent
16 (1%) per month until paid. The Oklahoma Uniform Building Code
17 Commission shall report to the Governor, President Pro Tempore of
18 the Senate and the Speaker of the House semiannually its
19 collections, past-due charges, late-fee assessments and late-fee
20 collections for the six (6) months preceding the report;

21 3. ~~Such fees~~ Fees shall be collected by any state agency,
22 municipality or other political subdivision issuing construction
23 permits within this state. The fees shall be deposited in an
24 account created by the collecting entity for that purpose;

1 4. The state agency, municipality or other political
2 subdivision shall remit the monies in the account on a monthly basis
3 directly to the State Treasury for deposit in the Oklahoma Uniform
4 Building Code Commission Revolving Fund created pursuant to Section
5 ~~10~~ 1000.28 of this ~~act~~ title. Along with the deposits required by
6 this paragraph, each state agency, municipality or other political
7 subdivision shall also submit a report stating the total amount of
8 funds collected and the total number of fees imposed during the
9 preceding month. The report shall be made on computerized or manual
10 disposition reports as provided by rule of the Commission;

11 5. ~~Deposits to the Oklahoma Uniform Building Code Commission~~
12 ~~Revolving Fund shall be due on the twentieth day of each month for~~
13 ~~the fees collected during the preceding calendar month. There shall~~
14 ~~be a late fee imposed for failure to make timely deposits. The~~
15 ~~Oklahoma Uniform Building Code Commission, in its discretion, may~~
16 ~~waive all or part of the late fee. Such late fee shall be one~~
17 ~~percent (1%) of the principal amount due per day beginning from the~~
18 ~~tenth day after payment is due and accumulating until the late fee~~
19 ~~reaches one hundred percent (100%) of the principal amount due;~~

20 6. Any state agency, municipality or other political
21 subdivision collecting and remitting fees pursuant to this section
22 may levy a fee up to fifty cents ~~(\$.50)~~ (\$0.50) for every
23 construction permit or renewal permit issued. These monies shall be
24 deposited into an account for the sole use of the state agency,

1 municipality or other political subdivision. The state agency,
2 municipality or other political subdivision shall state the total
3 amount of funds collected and the total number of fees imposed to
4 the State Treasury in the report required by paragraph 4 of this
5 ~~section~~ subsection;

6 ~~7.~~ 6. It shall be the responsibility of the state agency,
7 municipality or other political subdivision to account for and
8 ensure the correctness and accuracy of payments made to the State
9 Treasury pursuant to this title; and

10 ~~8.~~ 7. Funds collected by a state agency, municipality or other
11 political subdivision and remitted to the State Treasury pursuant to
12 the Oklahoma Uniform Building Code Commission Act shall be deposited
13 in the Oklahoma Uniform Building Code Commission Revolving Fund and
14 shall be used solely for the purposes of the Oklahoma Uniform
15 Building Code Commission Act.

16 SECTION 2. This act shall become effective November 1, 2012.

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18 53-2-9707 CJB 02/23/12
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