

An Act

ENROLLED HOUSE
BILL NO. 2659

By: Jordan of the House

and

Newberry of the Senate

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

SUBJECT: Oklahoma Uniform Building Code Commission Act

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

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

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

B. This provision is subject to the following limitations:

1. No schedule of fees may be established or amended by the Commission except during such times as the Legislature is in 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 or schedule of fees has been specifically authorized by the Legislature pursuant to paragraphs 2 and 3 of this subsection. The Commission must follow the procedures required by Article I of the Administrative Procedures Act for adoption of rules in establishing or amending any such schedule of fees;

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

For issuance of permit not to exceed \$5.00

For renewal of permit not to exceed \$5.00

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

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

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

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

~~6.~~ Any state agency, municipality or other political subdivision collecting and remitting fees pursuant to this section may levy a fee up to fifty cents ~~(\$.50)~~ (\$0.50) for every construction permit or renewal permit issued. These monies shall be deposited into an account for the sole use of the state agency, municipality or other political subdivision. The state agency, municipality or other political subdivision shall state the total amount of funds collected and the total number of fees imposed to the State Treasury in the report required by paragraph 4 of this ~~section~~ subsection;

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

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

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

Passed the House of Representatives the 18th day of May, 2012.

Presiding Officer of the House of
Representatives

Passed the Senate the 22nd day of May, 2012.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Governor this _____
day of _____, 20____,
at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma the _____ day of
_____, 20____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this _____
_____ day of _____, 20____,
at _____ o'clock _____ M.

By: _____