STATE OF OKLAHOMA

2nd Session of the 53rd Legislature (2012)

SENATE BILL 1507 By: Anderson

AS INTRODUCED

An Act relating to municipal building permits; amending 11 O.S. 2011, Section 43-109.2, which relates to residential building permits; clarifying statutory language; and declaring an emergency.

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

SECTION 1. AMENDATORY 11 O.S. 2011, Section 43-109.2, is amended to read as follows:

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

existing structure. Not included under the definition of a residential building permit are a single-family or a duplex carport, patio cover, storage building, accessory building, pool, or fence.

B. This provision shall not apply to ~~a~~ any person ~~or persons~~ performing the construction or remodeling to ~~his, her, or~~ their own single-family or duplex structure on their own property regardless if the construction or remodeling is to a single family or duplex structure that is also for rental purposes, unless the modifications are being performed by and the permit is acquired by a general contractor or subcontractor, in which case the general contractor or subcontractor shall meet the requirements set forth in subsection A of this section.

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

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

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby

declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

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