

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 SENATE BILL 417

By: Newberry

4
5 AS INTRODUCED

6 An Act relating to the Oklahoma Uniform Building Code
7 Commission Act; amending 59 O.S. 2011, Sections
8 1000.20, 1000.21 and 1000.23, which relates to short
9 title, Commission membership, and powers of the
10 Commission; modifying references; clarifying
11 language; providing for certain training and
certification by certain date; directing the
Commission to promulgate certain rules to certain
purpose; providing an effective date; and declaring
an emergency.

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

13 SECTION 1. AMENDATORY 59 O.S. 2011, Section 1000.20, is
14 amended to read as follows:

15 Section 1000.20. Sections ~~2~~ 1000.20 through ~~11~~ 1000.29 of this
16 ~~act~~ title shall be known and may be cited as the "Oklahoma Uniform
17 Building Code Commission Act".

18 SECTION 2. AMENDATORY 59 O.S. 2011, Section 1000.21, is
19 amended to read as follows:

20 Section 1000.21. A. 1. There is hereby created the Oklahoma
21 Uniform Building Code Commission within the Construction Industries
22 Board which shall consist of eleven (11) members, nine of whom shall
23 be appointed by the Governor with the advice and consent of the
24 Senate as follows:

- 1 a. one member who is a general contractor from a
2 statewide organization that represents residential
3 construction,
4 b. one member who is a general contractor from a
5 statewide organization that represents commercial
6 construction,
7 c. one member who is a contractor from a statewide
8 organization that represents electrical contractors,
9 d. one member who is a contractor from a statewide
10 organization that represents plumbing contractors,
11 e. one member who is a contractor from a statewide
12 organization that represents heating and cooling
13 contractors,
14 f. one member who is a local-level regulator/inspector
15 who is a member of a statewide organization that is
16 exempt from taxation under federal law and designated
17 pursuant to the provisions of the Internal Revenue
18 Code, 26 U.S.C., Section 170(a), who has represented
19 municipalities and had statutory functions for
20 municipalities for at least fifteen (15) years prior
21 to November 1, 2005,
22 g. one member who is a Certified Building Official
23 employed by a political subdivision,
24

- 1 h. one member who is a licensed architect from a
2 statewide organization that represents architects, and
3 i. one member who is from the insurance industry with
4 knowledge of building codes and experience in property
5 loss mitigation.

6 2. ~~Such~~ The members shall be appointed for staggered terms of
7 four (4) years; ~~provided, of those members initially appointed to~~
8 ~~the Commission, three members shall be appointed for one (1) year,~~
9 ~~beginning July 1, 2009, two members shall be appointed for two (2)~~
10 ~~years, beginning July 1, 2009, two members shall be appointed for~~
11 ~~three (3) years beginning, July 1, 2009, and two members who shall~~
12 ~~be appointed for four (4) years, beginning July 1, 2009.~~

13 B. The remaining two members of the Commission shall be the
14 State Fire Marshal, or a designee, and an appointee of the
15 Construction Industries Board.

16 C. Appointed members shall continue in office until a successor
17 is appointed by the Governor. No appointed member shall serve more
18 than two consecutive terms; provided, such a member shall be
19 eligible to be reappointed after a two-year absence from the
20 Commission. The Governor shall fill all vacancies and unexpired
21 terms in the same manner as the original appointment of the member
22 whose position is to be filled. Such members may be removed by the
23 Governor for cause.

1 D. Whenever a member of the Commission is absent from more than
2 one-half of all meetings of the governing body, regular and special,
3 held within any period of twelve (12) consecutive months, the member
4 shall thereupon cease to hold office by operation of law.

5 SECTION 3. AMENDATORY 59 O.S. 2011, Section 1000.23, is
6 amended to read as follows:

7 Section 1000.23. A. The Oklahoma Uniform Building Code
8 Commission shall have the power and the duty to review and adopt all
9 building codes for residential and commercial construction to be
10 used by all entities within this state. Codes and standards adopted
11 by the Commission shall be the minimum standards for residential and
12 commercial construction in this state.

13 B. All public projects shall abide by such minimum standards
14 and requirements; provided, nothing in ~~this act~~ the Oklahoma Uniform
15 Building Code Commission Act shall prevent or take away from state
16 agencies the authority to enact and enforce requirements containing
17 higher standards and requirements than such minimum standards and
18 requirements.

19 C. Municipalities and other political subdivisions shall abide
20 by such minimum standards and requirements; provided, nothing in
21 ~~this act~~ the Oklahoma Uniform Building Code Commission Act shall
22 prevent or take away from such municipalities and other political
23 subdivisions the authority to enact and enforce requirements
24

1 containing higher standards and requirements than such minimum
2 standards and requirements.

3 D. The Oklahoma Uniform Building Code Commission shall have the
4 power and duty to establish a training and certification process for
5 all residential and commercial building code inspectors. Each
6 inspector operating in this state on behalf of any state agency or
7 any municipal or county office shall be required to complete
8 training and be issued a certification for inspections by the
9 Uniform Building Code Commission on and after March 1, 2014. The
10 training and certification applications, qualifications and
11 procedures shall be promulgated by rules of the Commission. The
12 Commission is authorized to establish by rule any application and
13 certification fees and a schedule of administrative fines for
14 violations of training requirements, failure to be certified, or
15 violation. The Commission may further establish any necessary
16 rules, forms and procedures to implement, administer and enforce the
17 provisions of this section.

18 SECTION 4. This act shall become effective July 1, 2013.

19 SECTION 5. It being immediately necessary for the preservation
20 of the public peace, health and safety, an emergency is hereby
21 declared to exist, by reason whereof this act shall take effect and
22 be in full force from and after its passage and approval.

23

24 54-1-235 NP 1/15/2013 2:41:09 PM