

1 ENGROSSED HOUSE AMENDMENT

TO

2 ENGROSSED SENATE BILL NO. 1329

By: Ford of the Senate

3 and

4 Dunlap of the House

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An Act relating to building codes; exempting certain church activities from certain occupancy ratings and codes; construing certain use of building; limiting certain use; providing certain exception to certain limitations; establishing hours of use for certain purposes; construing daytime hours of use; prohibiting charge for certain church accommodations; construing certain building as a non-violation of code; exempting certain building use from certain fire and safety codes; substituting and establishing certain fire and safety standards for certain building use; requiring representative on premises for certain building use; authorizing the Uniform Building Code Commission to issue certain annual permit; setting fee; providing for State Fire Marshal to review building for certain purpose and standards; setting certain fire and safety standards; providing additional fire and safety standards; providing for permit renewal; requiring posting of permit during certain building use; amending 59 O.S. 2011, Section 1000.29, which relates to enactment of codes; making certain codes unenforceable over state issued permit; amending 74 O.S. 2011, Section 324.11, which relates to building permits; construing certain building alternations; providing for certain building code exemption; providing certain exception for certain permits; providing for codification; and providing an effective date.

AUTHOR: Add the following House Coauthor: Strohm

1 AMENDMENT NO. 1. Strike the title, enacting clause and entire bill
and insert

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3 "[building codes - church activities - occupancy
4 ratings and codes - effective date]

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

8 SECTION 1. NEW LAW A new section of law to be codified
9 in the Oklahoma Statutes as Section 317.2 of Title 74, unless there
10 is created a duplication in numbering, reads as follows:

11 A. Nothing in the Oklahoma Uniform Building Code or any
12 building code adopted by any political subdivision of this state, or
13 any rules or regulations promulgated thereto, shall prohibit any
14 Fire Marshal, or any state agency or political subdivision of this
15 state or its officials, from allowing a church that is occupancy-
16 rated an A3 building pursuant to the International Building Code to
17 utilize its building space for temporary overnight visitors for the
18 purpose of religious retreats, ministry programs, overnight or lock-
19 in events, emergency or catastrophic occurrences, to shelter
20 transient persons or to accommodate displaced persons due to
21 hardship or inclement weather. Such building use shall not
22 constitute a change in code occupancy rating, purposes or
23 activities. Provided, any temporary overnight visitor space
24 utilized by a church within its existing buildings as authorized by

1 this section shall be authorized only for a limited duration, unless
2 the Governor has declared a state of emergency or exigent
3 circumstances exist. The church acting pursuant to the provisions
4 of this section shall not charge for its accommodations nor be
5 deemed a bed and breakfast, hotel or motel for any code occupancy
6 rating purposes.

7 B. Nothing in the Oklahoma Uniform Building Code or any code
8 adopted by any political subdivision of this state, or any rules or
9 regulations promulgated pursuant thereto, shall be construed to
10 cause a church to be in violation of the Oklahoma Uniform Building
11 Code or any building code adopted by a political subdivision of this
12 state for the sole reason the church offers temporary overnight
13 visitor services within the authority of this section.

14 C. As used in this section:

15 1. "Church" means a facility that is owned by a religious
16 organization and that is used primarily for religious services;

17 2. "Religious organization" means any church, seminary,
18 synagogue, temple, mosque, religious order, religious corporation,
19 association or society, whose identity is distinctive in terms of
20 common religious creed, beliefs, doctrines, practices or rituals, of
21 any faith or denomination, including any organization qualifying as
22 a church or religious organization under Section 501(c)(3) or 501(d)
23 of the United States Internal Revenue Code; and

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3. "Temporary" means no more than seven (7) consecutive days,
accumulating to no more than forty (40) days in a calendar year.

SECTION 2. This act shall become effective November 1, 2016."

Passed the House of Representatives the 21st day of April, 2016.

Presiding Officer of the House of
Representatives

Passed the Senate the ____ day of _____, 2016.

Presiding Officer of the Senate