STATE OF OKLAHOMA

1st Session of the 55th Legislature (2015)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1890 By: Christian

COMMITTEE SUBSTITUTE

An Act relating to professions and occupations; amending Sections 1000.23, as amended by Section 3, Chapter 223, O.S.L. 2014 and 1000.24 (59 O.S. Supp. 2014, Section 1000.23), which relate to the Oklahoma Uniform Building Code Commission; requiring Commission to establish code academy; modifying powers and duties of the Commission; providing for continuing education; authorizing Commission to serve as code variance appeals board for certain counties and municipalities; and providing an effective date.

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

SECTION 1. AMENDATORY 59 O.S. 2011, Section 1000.23, as amended by Section 3, Chapter 223, O.S.L. 2014 (59 O.S. Supp. 2014, Section 1000.23), is amended to read as follows:

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

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

C. Municipalities and other political subdivisions shall abide by such minimum standards and requirements; provided, nothing in the Oklahoma Uniform Building Code Commission Act shall prevent or take away from such municipalities and other political subdivisions the authority to enact and enforce requirements containing higher standards and requirements than such minimum standards and requirements.

D. The Oklahoma Uniform Building Code Commission shall have the power and duty to establish a training and certification process for all residential and commercial building code inspectors. The Commission shall establish regional training for the purpose of training ~~the~~ state, county and municipal inspectors or other inspectors in the Uniform Building Code. The regional training shall be offered at no cost to the participant and shall be funded from the funds received pursuant to Section 1000.25 of this title. Each inspector operating in this state on behalf of any state agency or any municipal or county office may complete regional training and be issued a certification for inspections by the Uniform Building

Code Commission on and after January 1, 2015. The Commission shall establish a code academy as part of a certification process through which employees of the state, counties, municipalities, and other individuals may be educated in the Uniform Building Code and in methodologies and techniques of inspection for residential and commercial construction to become certified as state, county and municipal inspectors, or other inspectors. The training and certification applications, qualifications and procedures shall be promulgated by rules of the Commission. The Commission may establish forms and procedures to implement and administer the provisions of this section.

SECTION 2. AMENDATORY 59 O.S. 2011, Section 1000.24, is amended to read as follows:

Section 1000.24 A. 1. Beginning July 1, 2009, pursuant to and in compliance with Article I of the Administrative Procedures Act, the Oklahoma Uniform Building Code Commission shall have the power to adopt, amend, repeal and promulgate rules as may be necessary to perform the duties required under the Oklahoma Uniform Building Code Commission Act. Rules authorized under this section shall not become effective prior to October 1, 2009.

2. Beginning October 1, 2009, the Commission shall have the power to enforce the provisions of the Oklahoma Uniform Building Code Commission Act.

3. Any codes adopted by state agencies, municipalities or other political subdivisions of the state prior to uniform codes being adopted by the Oklahoma Uniform Building Code Commission, pursuant to the provisions of, or rules promulgated pursuant to, the Oklahoma Uniform Building Code Commission Act, shall be considered valid and in effect until uniform codes are adopted by the Oklahoma Uniform Building Code Commission.

B. The Oklahoma Uniform Building Code Commission shall have the following powers:

1. Exercise all incidental powers and duties which are necessary to effectuate the provisions of the Oklahoma Uniform Building Code Commission Act;

2. Adopt and have an official seal;

3. Maintain an administrative staff, including, but not limited to, an Oklahoma Uniform Building Code Commission Chief Executive Officer;

4. Direct such other expenditures as may be necessary in the performance of its duties, including, but not limited to, expenditures for office space, equipment, furnishings and contracts for services. All expenditures shall be made pursuant to the Oklahoma Central Purchasing Act;

5. Appoint technical committees to review and recommend for adoption all building codes. The technical committees shall review

and recommend building codes with any amendments for adoption by the Commission; ~~and~~

6. Create a website listing all building codes adopted by the Commission. The website shall provide a method for listing all codes adopted by a state agency, city or any other political subdivision of the state containing higher standards and requirements than the codes adopted pursuant to the Oklahoma Uniform Building Code Commission Act as required in Section 14-107 of Title 11 of the Oklahoma Statutes;

7. Provide continuing education to participants in the construction industry. The continuing education shall be free of charge to the participants. The continuing education provided by the Oklahoma Uniform Building Code Commission shall provide the participants with information relating to building codes, methodologies, techniques and industry best practices. The education hours provided to participants shall be accepted by all state agencies, municipalities or other political subdivisions as qualifying for an equivalent number of hours toward their respective continuing education requirements; and

8. Serve as the code variance appeals board for the codes it has adopted for municipalities with a population of less than ten thousand (10,000). Counties enforcing building codes and cites with a population greater than ten thousand (10,000) may authorize the Commission to serve as their code variance appeals board. The

authorization shall continue until the municipality or county rescinds the authorization by providing at least sixty (60) days notice to the Commission.

C. After October 1, 2009, the Commission shall account for all receipts and expenditures of the monies of the Commission, including annually preparing and publishing a statement of receipts and expenditures of the Commission for each fiscal year. The Commission's annual statement of receipts and expenditures shall be audited by the State Auditor and Inspector or an independent accounting firm, and the audit report shall be certified to the Governor of this state to be true and correct, under oath, by the chair and vice-chair of the Commission.

SECTION 3. This act shall become effective November 1, 2015.

55-1-7053 EK 02/25/15