

1 ENGROSSED SENATE
2 BILL NO. 283

By: Newberry of the Senate

3 and

4 Osburn (Mike) of the House
5

6 An Act relating to the Oklahoma Uniform Building Code
7 Commission; amending 59 O.S. 2011, Sections 1000.23,
8 as amended by Section 3, Chapter 223, O.S.L. 2014 and
9 1000.24 (59 O.S. Supp. 2016, Section 1000.23), which
10 relate to powers and duties; setting duration of
11 certain codes and standards; clarifying language;
12 requiring updates to website annually; requiring
13 notice of certain code submissions; authorizing
14 certain posting of certain codes at no cost to
15 Commission; amending 11 O.S. 2011, Section 14-107,
16 which relates to publication of certain codes;
17 modifying language; authorizing notice of certain
18 code submission; requiring certain copy of codes at
19 no cost to Commission; and providing an effective
20 date.

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

22 SECTION 1. AMENDATORY 59 O.S. 2011, Section 1000.23, as
23 amended by Section 3, Chapter 223, O.S.L. 2014 (59 O.S. Supp. 2016,
24 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

1 commercial construction in this state. The building codes and
2 standards adopted by the Commission shall be valid and in effect
3 from the date of adoption for a period of six (6) years or until the
4 Commission adopts additional codes and standards pursuant to the
5 Administrative Procedures Act.

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

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

19 D. The Oklahoma Uniform Building Code Commission shall have the
20 power and duty to establish a training and certification process for
21 all residential and commercial building ~~code inspectors~~ codes. The
22 Commission shall establish regional training for the purpose of
23 ~~training the county and municipal inspectors in~~ the Uniform Building
24 Code. The regional training shall be offered at no cost to the

1 participant and shall be funded from the funds received pursuant to
2 Section 1000.25 of this title. Each inspector operating in this
3 state on behalf of any state agency or any municipal or county
4 office may complete regional training and be issued a certification
5 for inspections by the Uniform Building Code Commission on and after
6 January 1, 2015. The training and certification applications,
7 qualifications and procedures shall be promulgated by rules of the
8 Commission. The Commission may establish forms and procedures to
9 implement and administer the provisions of this section.

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

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

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

22 3. Any building codes and standards adopted by state agencies,
23 municipalities or other political subdivisions of the state ~~prior to~~
24 ~~uniform codes being adopted by the Oklahoma Uniform Building Code~~

1 ~~Commission, pursuant to the provisions of, or rules promulgated~~
2 ~~pursuant to, the Oklahoma Uniform Building Code Commission Act,~~
3 shall be ~~considered~~ valid and in effect ~~until uniform codes are~~ when
4 such building codes and standards are in compliance with the uniform
5 building codes and standards adopted by the Oklahoma Uniform
6 Building Code Commission or such building codes and standards are
7 authorized by Section 14-107 of Title 11 of the Oklahoma Statutes
8 and have been submitted to the Commission.

9 B. The Oklahoma Uniform Building Code Commission shall have the
10 ~~following powers~~ power to:

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

14 2. Adopt and have an official seal;

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

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

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

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

3 6. Create and maintain a website with a detailed listing of all
4 current building codes and standards adopted by the Commission. For
5 purposes of public notification, the uniform building codes and
6 standards adopted by the Commission or submitted to the Commission
7 by a state agency, municipality or other political subdivision of
8 this state shall be updated at least annually on the website. The
9 website shall additionally provide ~~a method for listing~~ notice of
10 all codes adopted by a state agency, city or any other political
11 subdivision of ~~the~~ this state ~~containing higher standards and~~
12 ~~requirements than the codes adopted pursuant~~ which have been
13 submitted to the Oklahoma Uniform Building Code Commission ~~Act~~ as
14 required ~~in~~ by Section 14-107 of Title 11 of the Oklahoma Statutes.
15 The Commission may require, obtain and post to its website, at no
16 cost to the Commission, all or part of the detailed building codes
17 and standards adopted by a city, town or county which are different
18 from the uniform building standards and codes adopted by the
19 Commission.

20 C. ~~After October 1, 2009, the~~ The Commission shall account for
21 all receipts and expenditures of the monies of the Commission,
22 including annually preparing and publishing a statement of receipts
23 and expenditures of the Commission for each fiscal year. The
24 Commission's annual statement of receipts and expenditures shall be

1 audited by the State Auditor and Inspector or an independent
2 accounting firm, and the audit report shall be certified to the
3 Governor of this state to be true and correct, under oath, by the
4 chair and vice-chair of the Commission.

5 SECTION 3. AMENDATORY 11 O.S. 2011, Section 14-107, is
6 amended to read as follows:

7 Section 14-107. A. If a municipal governing body enacts or
8 adopts by reference ordinances which are compilations or codes of
9 law or regulations relating to traffic, building, plumbing,
10 electrical installations, fire prevention, inflammable liquids, milk
11 and milk products, protection of the public health, or any other
12 matters which the municipality has the power to regulate, such
13 ordinances are not required to be published in full. Legal
14 publication of such ordinances may be by publishing the title and a
15 summary of their contents in the manner provided by Section 14-106
16 of this title. At least one copy of such ordinances shall be kept
17 in the office of the municipal clerk for public use, inspection, and
18 examination. The municipal clerk shall keep copies of the
19 ordinances, codes, or compilations for distribution or sale at a
20 reasonable price, except as provided in subsection F of this
21 section.

22 B. A municipality which adopts building standards shall adopt
23 and enforce the uniform building codes and standards adopted by the
24 Oklahoma Uniform Building Code Commission.

1 C. Nothing in ~~this act~~ subsection B of this section shall
2 prevent or take away from any city, town or county the authority to
3 enact and enforce rules containing higher standards and requirements
4 than the building codes and standards adopted by the Oklahoma
5 Uniform Building Code Commission nor prevent or take away from any
6 city, town or county the authority to amend such adopted building
7 codes and standards to make changes necessary to accommodate local
8 conditions, except as provided in subsection D of this section.

9 D. A city, town or county may begin enforcing the higher
10 building codes and standards ~~and requirements allowed in~~ and any
11 amendments thereto authorized by subsection C of this section no
12 less than thirty (30) days after submitting the higher building
13 codes and standards ~~and requirements~~ and any amendment thereto to
14 the Oklahoma Uniform Building Code Commission in such form as the
15 Commission may prescribe. Notice or a detailed copy of each new
16 submission shall be made available to the public on the Commission's
17 website in a manner determined by the Commission.

18 E. Ordinances which are passed by the governing body with an
19 emergency clause attached are not required to be published in full,
20 but may be published by title only in the manner provided by Section
21 14-106 of this title.

22 F. Upon request by the Oklahoma Uniform Building Code
23 Commission and at no cost to the Commission, a city, town or county
24 shall provide a detailed copy of all, or part if so requested, of

1 the current building codes and standards adopted by such city, town
2 or county.

3 SECTION 4. This act shall become effective November 1, 2017.

4 Passed the Senate the 22nd day of March, 2017.

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Presiding Officer of the Senate

8 Passed the House of Representatives the ____ day of _____,
9 2017.

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Presiding Officer of the House
of Representatives

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