

STATE OF OKLAHOMA

1st Session of the 56th Legislature (2017)

HOUSE BILL 1283

By: Wallace

AS INTRODUCED

An Act relating to professions and occupations;
amending 59 O.S. 2011, Sections 1033, 1036 and 1038,
which relate to the Oklahoma Inspectors Act;
modifying definitions; modifying licensing
requirements; removing obsolete language; authorizing
license renewal of unemployed inspectors; specifying
conditions; and providing an effective date.

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

SECTION 1. AMENDATORY 59 O.S. 2011, Section 1033, is
amended to read as follows:

Section 1033. As used in the Oklahoma Inspectors Act:

1. "Board" means the Construction Industries Board;

2. "Committee" means the Oklahoma Inspector Examiners
Committee;

3. "Building and construction inspection" means the inspection
of plumbing, electrical, mechanical or structural aspects of
building and construction, for the purpose of enforcing compliance
with the applicable building codes or standards;

1 4. "Building and construction inspector" means any person
2 actively engaged in the inspection of any phase of building and
3 construction by the political subdivision having managerial and
4 superintending control over building codes as the code official for
5 the purpose of enforcing and having the authority to enforce
6 compliance with the applicable building codes or standards and
7 includes, but is not limited to, plumbing inspectors, electrical
8 inspectors, mechanical inspectors and structural building
9 inspectors; ~~and~~

10 5. "Building official" means the licensed employee code
11 official or political subdivision officer designated, by the
12 political subdivision having managerial and superintending control
13 over building codes, as having the duty to administer and the
14 authority to enforce building codes in the political subdivision;

15 6. "Certification" means successful passage of an examination
16 by a Committee-approved national certification program in a license
17 category pursuant to the Oklahoma Inspectors Act;

18 7. "Circuit rider inspector" means a person who acts as a
19 building and construction inspector for two or more municipalities
20 or other political subdivisions and is certified and licensed
21 pursuant to the Oklahoma Inspectors Act;

22 8. "Inactive building and construction inspector" means a
23 previously licensed building and construction inspector, having
24 successfully passed an examination by a Committee-approved national

1 certification program, who is currently not employed by a political
2 subdivision and therefore does not meet all requirements of the
3 Oklahoma Inspector's Act to perform building and construction
4 inspections pursuant to the Oklahoma Inspector's Act until all
5 requirements are met;

6 9. "Provisional license" means a license issued to a building
7 and construction inspector who is an employee of a political
8 subdivision on a provisional basis and limited to a maximum of two
9 (2) years in each license category for the purpose of enabling an
10 applicant to meet the certification requirements; and

11 10. "Report writer" means any person or agency engaged, by a
12 political subdivision having managerial and superintending control
13 over building codes, as a report writer for purposes of furnishing
14 report-writing services on behalf of the building official. This
15 person must be approved by the building official or designated code
16 official, provided he or she has no conflict of interest and
17 satisfies the requirements of the political subdivision as to
18 qualifications, ethical standards and reliability in the process and
19 services. The individual's furnished written reports shall be
20 acceptable to the building official, designated code official or
21 political subdivision.

22 SECTION 2. AMENDATORY 59 O.S. 2011, Section 1036, is
23 amended to read as follows:
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1 Section 1036. A. Applicants for certification and license
2 shall:

3 1. Show proof of certification by successful completion of an
4 examination approved by the Committee, or licensing by a program or
5 governmental entity approved by the Construction Industries Board;
6 ~~or~~ and

7 2. ~~Have been certified by the Committee as having passed the~~
8 ~~examination~~ Have been employed by a political subdivision.

9 The Board shall issue a license to any person who has met the
10 requirements of ~~paragraph~~ paragraphs 1 ~~or~~ and 2 of this subsection
11 and who has paid the fees required by the Oklahoma Inspectors Act
12 and has otherwise complied with the applicable requirements of the
13 Oklahoma Inspectors Act. Provided, the Board may issue a
14 provisional license limited to two (2) years to enable an applicant
15 to meet the ~~certification~~ licensing requirements of this subsection
16 while seeking certification by examination.

17 B. Examinations shall be uniform and shall be practical in
18 nature but shall be sufficiently strict to test the qualifications
19 and fitness of the applicant as a building and construction
20 inspector. The examination shall be in whole or in part in writing.
21 Examination dates shall be set by the Committee or by the
22 examination provider. Any applicant failing to pass the examination
23 shall not be permitted to take another examination for a period of
24 thirty (30) days, and thereafter any such applicants subsequently

1 failing to pass the examination shall not be permitted to take a
2 subsequent examination for a period of ninety (90) days.

3 C. All licenses shall be nontransferable and it shall be
4 unlawful for any holder of a license issued pursuant to the Oklahoma
5 Inspectors Act to loan or allow the use of such license by any other
6 person, firm or corporation.

7 SECTION 3. AMENDATORY 59 O.S. 2011, Section 1038, is
8 amended to read as follows:

9 Section 1038. A. ~~Until June 30, 2004, no~~ No license shall be
10 issued for longer than one (1) year and all licenses shall expire on
11 ~~June 30 of each year. Beginning July 1, 2004, all licenses shall~~
12 ~~expire on~~ the birth date of the licensee. The Construction
13 Industries Board shall establish by rule a method for prorating
14 license fees to coincide with the birth date of the licensee.

15 B. An application for the renewal of a license which is
16 received more than thirty (30) days following the date of expiration
17 and which is accompanied by a fee established pursuant to Section
18 1000.5 of this title, and proof of current continuing education
19 requirements, may be accepted and the license reissued without
20 examination.

21 C. The fee for late renewal and the continuing education
22 requirements shall not be required of any holder of a license which
23 expires while such holder is in military service, if application for
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1 renewal is made within one (1) year following the service discharge
2 of such person.

3 D. If the licensed building and construction inspector is not
4 employed at the time of renewal, the license may be renewed if the
5 applicant is otherwise compliant with the requirements of the
6 Oklahoma Inspectors Act including meeting continuing education
7 requirements; however, the renewal application must reflect the
8 change in employment along with a request to renew as inactive
9 status.

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

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