

<DateSubmitted>

HOUSE OF REPRESENTATIVES  
CONFERENCE COMMITTEE REPORT

Mr. President:  
Mr. Speaker:

The Conference Committee, to which was referred

**HB1032**

By: Martinez of the House and Newhouse of the Senate

Title: Regulation of residential building design elements; prohibiting county and municipal regulation of residential building design elements; exceptions; effective date.

Together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the Senate recede from its amendment; and
2. That the attached Conference Committee Substitute be adopted.

Respectfully submitted,

House Action \_\_\_\_\_ Date \_\_\_\_\_ Senate Action \_\_\_\_\_ Date \_\_\_\_\_

**SENATE CONFEREES**

Newhouse	_____
Leewright	_____
Stanislowski	_____
McCortney	_____
Brooks	_____
Young	_____

House Action \_\_\_\_\_ Date \_\_\_\_\_ Senate Action \_\_\_\_\_ Date \_\_\_\_\_

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

CONFERENCE COMMITTEE  
SUBSTITUTE  
FOR ENGROSSED  
HOUSE BILL NO. 1032

By: Martinez and McBride of the  
House

and

Newhouse of the Senate

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to building design elements;  
prohibiting county and municipal regulation of  
certain building and design elements; requiring  
certain building design elements be in writing prior  
to certain preliminary plat development; construing  
application of certain zoning ordinances enacted  
after preliminary plat development; providing  
exceptions; defining term; providing for  
codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified  
in the Oklahoma Statutes as Section 43-109.3 of Title 11, unless  
there is created a duplication in numbering, reads as follows:

A. No county, municipality, city or town, including any  
department, commission, board or agency thereof, shall regulate,  
impose, require, restrict or prohibit, nor condition, deny or delay

1 any planning or development approvals based upon, any single-family  
2 residential building design elements in any zoning district or  
3 planned development, unless, prior to the attempt to regulate such  
4 building design elements, the regulation was placed into writing  
5 within an enacted zoning ordinance specifically setting forth the  
6 regulation of residential building design elements and such zoning  
7 ordinance was properly approved and adopted by the appropriate  
8 governmental authority for that county, municipality, city or town  
9 prior to the preliminary platting of the applicable property. Any  
10 zoning ordinance or attempted regulation of residential building  
11 design elements enacted or proposed after the preliminary platting  
12 of an applicable residential property shall not apply to such  
13 property. This section shall not apply to:

14 1. Property located in a designated historic district pursuant  
15 to state or federal law;

16 2. Property with an overlay zoning district; or

17 3. New single-family residential developments created after  
18 November 1, 2019.

19 B. For purposes of this section, "residential building design  
20 elements" means the:

21 1. Type or style of exterior cladding or finish materials;

22 2. Style or materials of roof structures, roof pitches or  
23 porches;

24 3. Exterior nonstructural architectural ornamentation;

- 1        4. Location, design, placement or architectural styling of  
2 windows and doors, including garage doors and garage structures;  
3        5. Number and types of rooms;  
4        6. Interior layout of rooms; and  
5        7. Minimum square footage of a structure.

6        SECTION 2. This act shall become effective November 1, 2019.

7  
8        57-1-8940            LRB            05/14/19

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24