

<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 amendments; 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 _____

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. Single-family residential developments created before
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.

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

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