

## FLOOR AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB3819 \_\_\_\_\_  
Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by  
inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Adopted: \_\_\_\_\_

Amendment submitted by: Lonnie Sims

\_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

FLOOR SUBSTITUTE  
FOR

HOUSE BILL NO. 3819

By: Sims of the House

and

Newhouse of the Senate

FLOOR SUBSTITUTE

An Act relating to professions and occupations;  
defining term; amending 59 O.S. 2021, Sections  
1000.22, 1000.23, and 1000.24, as amended by Section  
1, Chapter 56, O.S.L. 2023 (59 O.S. Supp. 2023,  
Section 1000.24), which relate to the Oklahoma  
Uniform Building Code Commission Act; adding vice-  
chair duties; modifying Commission powers and duties;  
clarifying who may attend training provided by the  
Commission; and creating energy payback requirements;  
and providing for codification.

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 1000.20a of Title 59, unless  
there is created a duplication in numbering, reads as follows:

The term "payback period", when used in this act, shall mean the  
amount of time a system, design, or project takes to generate the  
amount of energy used to produce said system, design, or project.

SECTION 2. AMENDATORY 59 O.S. 2021, Section 1000.22, is amended to read as follows:

Section 1000.22 1. The Oklahoma Uniform Building Code Commission shall organize immediately after July 1, 2009, and annually thereafter, by electing from among its members a chair and a vice-chair. The Commission shall hold regularly scheduled meetings at least once each quarter at a time and place determined by the Commission and may hold such special meetings, emergency meetings or continued or reconvened meetings as found by the Commission to be necessary. A majority of the members of the Commission shall constitute a quorum for the transaction of business.

2. The chair shall preside at meetings of the Commission, set the agenda, including any agenda items provided by the vice-chair, sign orders and other required documents, coordinate Commission activities and perform such other duties as may be prescribed by the Commission.

3. The vice-chair shall perform the duties of the chair during the absence or disability of the chair, may set items on the agenda, and shall perform such other duties as may be prescribed by the Commission.

4. The Oklahoma Uniform Building Code Commission Chief Executive Officer, at the discretion of the Commission, shall:

- a. keep a record of all proceedings of the Commission and certify to actions of the Commission,
- b. oversee the receipt and deposit of all monies received by the Commission in the appropriate revolving funds,
- c. submit, at the first regular meeting of the Commission after the end of each fiscal year, a fully itemized report of the receipts and disbursements for the prior fiscal year, showing the amount of funds on hand, and
- d. perform such other duties as are prescribed in this act or as may be prescribed by the Commission.

5. The Commission shall comply with the provisions of the Oklahoma Open Meeting Act, the Oklahoma Open Records Act and the Administrative Procedures Act.

6. All members of the Commission and such employees as determined by the Commission shall be bonded as required by Sections ~~85.26~~ 85.58Q through ~~85.31~~ 85.58V of Title 74 of the Oklahoma Statutes.

7. The liability of any member or employee of the Commission acting within the scope of Commission duties or employment shall be governed by The Governmental Tort Claims Act.

8. Members of the Oklahoma Uniform Building Code Commission and members of all technical committees shall serve without compensation, but shall be reimbursed for all actual and necessary

1 expenses incurred in the performance of their duties in accordance  
2 with the State Travel Reimbursement Act.

3 SECTION 3. AMENDATORY 59 O.S. 2021, Section 1000.23, is  
4 amended to read as follows:

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

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

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

1 D. The Oklahoma Uniform Building Code Commission shall have the  
2 power and duty to establish a continuing education training ~~and~~  
3 ~~certification~~ process for, but not limited to, all residential and  
4 commercial construction industry personnel affected by the codes  
5 adopted by the Commission, building code ~~inspectors~~ officials, and  
6 design professionals. Building trades professionals may attend  
7 training provided by the Oklahoma Uniform Building Code Commission.  
8 The Commission shall establish ~~regional training for the purpose of~~  
9 ~~training the county and municipal inspectors in the Uniform Building~~  
10 ~~Code~~ this training regionally. The regional training shall be  
11 offered at no cost to the participant and shall be funded from the  
12 funds received pursuant to Section 1000.25 of this title. ~~Each~~  
13 ~~inspector operating in this state on behalf of any state agency or~~  
14 ~~any municipal or county office may complete regional training and be~~  
15 ~~issued a certification for inspections by the Uniform Building Code~~  
16 ~~Commission on and after January 1, 2015. The training and~~  
17 ~~certification applications, qualifications and procedures shall be~~  
18 ~~promulgated by rules of the Commission. The Commission may~~  
19 ~~establish forms and procedures to implement and administer the~~  
20 ~~provisions of this section.~~

21 SECTION 4. AMENDATORY 59 O.S. 2021, Section 1000.24, as  
22 amended by Section 1, Chapter 56, O.S.L. 2023 (59 O.S. Supp. 2023,  
23 Section 1000.24), is amended to read as follows:  
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1       Section 1000.24   A.   1.   Beginning July 1, 2009, pursuant to and  
2   in compliance with Article I of the Administrative Procedures Act,  
3   the Oklahoma Uniform Building Code Commission shall have the power  
4   to adopt, amend, repeal and promulgate rules as may be necessary to  
5   perform the duties required under the Oklahoma Uniform Building Code  
6   Commission Act.   Rules authorized under this section shall not  
7   become effective prior to October 1, 2009.

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

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

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

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

23       2.   Adopt and have an official seal;  
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1        3. Maintain an administrative staff, including, but not limited  
2 to, an Oklahoma Uniform Building Code Commission Chief Executive  
3 Officer;

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

9        5. Appoint technical committees to review and recommend for  
10 adoption all building codes. The technical committees shall review  
11 and recommend building codes with any amendments for adoption by the  
12 Commission; and

13        6. Create a website listing all building codes adopted by the  
14 Commission. The website shall provide a method for listing all  
15 codes adopted by a state agency, city or any other political  
16 subdivision of the state containing higher standards and  
17 requirements than the codes adopted pursuant to the Oklahoma Uniform  
18 Building Code Commission Act as required in Section 14-107 of Title  
19 11 of the Oklahoma Statutes.

20        C. After October 1, 2009, the Commission shall account for all  
21 receipts and expenditures of the monies of the Commission, including  
22 annually preparing and publishing a statement of receipts and  
23 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 D. Any amendments or modifications to the currently adopted  
6 state codes shall be forwarded to the Oklahoma Uniform Building Code  
7 Commission for consideration.

8 E. 1. The Commission shall promulgate rules requiring all  
9 proposed energy building codes or amendments to include:

- 10 a. a payback period analysis, or  
11 b. a statement explaining why a payback period is not  
12 applicable to the proposed energy code or amendment.

13 2. The Commission shall not adopt any proposed energy code or  
14 amendment that does not have a payback period of seven (7) years or  
15 less unless a payback period does not apply to the proposed code or  
16 amendment.

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