

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL 283

6 By: Newberry

7 COMMITTEE SUBSTITUTE

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

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

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

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

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

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

21 D. The Oklahoma Uniform Building Code Commission shall have the
22 power and duty to establish a training and certification process for
23 all residential and commercial building ~~code-inspectors~~ codes. The
24 Commission shall establish regional training for the purpose of

1 ~~training the county and municipal inspectors in~~ the Uniform Building
2 Code. The regional training shall be offered at no cost to the
3 participant and shall be funded from the funds received pursuant to
4 Section 1000.25 of this title. Each inspector operating in this
5 state on behalf of any state agency or any municipal or county
6 office may complete regional training and be issued a certification
7 for inspections by the Uniform Building Code Commission on and after
8 January 1, 2015. The training and certification applications,
9 qualifications and procedures shall be promulgated by rules of the
10 Commission. The Commission may establish forms and procedures to
11 implement and administer the provisions of this section.

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

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

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

24

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

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

14 1. Exercise all incidental powers and duties which are
15 necessary to effectuate the provisions of the Oklahoma Uniform
16 Building Code Commission Act;

17 2. Adopt and have an official seal;

18 3. Maintain an administrative staff, including, but not limited
19 to, an Oklahoma Uniform Building Code Commission Chief Executive
20 Officer;

21 4. Direct such other expenditures as may be necessary in the
22 performance of its duties, including, but not limited to,
23 expenditures for office space, equipment, furnishings and contracts
24

1 for services. All expenditures shall be made pursuant to the
2 Oklahoma Central Purchasing Act;

3 5. Appoint technical committees to review and recommend for
4 adoption all building codes. The technical committees shall review
5 and recommend building codes with any amendments for adoption by the
6 Commission; and

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

24

1 C. ~~After October 1, 2009, the~~ The Commission shall account for
2 all receipts and expenditures of the monies of the Commission,
3 including annually preparing and publishing a statement of receipts
4 and expenditures of the Commission for each fiscal year. The
5 Commission's annual statement of receipts and expenditures shall be
6 audited by the State Auditor and Inspector or an independent
7 accounting firm, and the audit report shall be certified to the
8 Governor of this state to be true and correct, under oath, by the
9 chair and vice-chair of the Commission.

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

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

1 reasonable price, except as provided in subsection F of this
2 section.

3 B. A municipality which adopts building standards shall adopt
4 and enforce the uniform building codes and standards adopted by the
5 Oklahoma Uniform Building Code Commission.

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

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

23 E. Ordinances which are passed by the governing body with an
24 emergency clause attached are not required to be published in full,

1 but may be published by title only in the manner provided by Section
2 14-106 of this title.

3 F. Upon request by the Oklahoma Uniform Building Code
4 Commission and at no cost to the Commission, a city, town or county
5 shall provide a detailed copy of all, or part if so requested, of
6 the current building codes and standards adopted by such city, town
7 or county.

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

9
10 56-1-1499 NP 2/23/2017 10:08:25 AM

11
12
13
14
15
16
17
18
19
20
21
22
23
24