

Author: Brogdon

STATE OF OKLAHOMA

1 1st Session of the 52nd Legislature (2009)

2 SENATE BILL 1182 By: Brogdon

3 AS INTRODUCED

4 An Act relating to state government; stating
5 legislative findings; stating purpose; creating the
6 Oklahoma Uniform Building Code Commission; providing
7 for membership, appointment, terms and
8 qualifications; providing powers and duties of the
9 Commission; providing for certain codes and standards
10 to be certain minimum safety standards; requiring
11 state projects to abide by such standards; requiring
12 municipalities and political subdivisions to abide by
13 such standards; authorizing certain higher standards
14 and requirements; providing for codification; and
15 providing an effective date.

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

17 SECTION 1. NEW LAW A new section of law to be
18 codified in the Oklahoma Statutes as Section 1000.20 of Title 59,
19 unless there is created a duplication in numbering, reads as
20 follows:

21 The Oklahoma Legislature hereby finds that currently in the
22 construction and building code adoption process, there is a lack
23 of communication between various adoption authorities and between
24 those authorities and the industry or industries affected by such

1 codes. The adoption process and review is lengthy and does not
2 reach or include all affected parties. This results in unintended
3 consequences in blanket code adoption, outdated codes being used
4 in some areas of the state, inconsistent interpretations of codes
5 and, perhaps most notably, insufficient consumer education.
6 Therefore, the purpose of this act is to establish uniform
7 building standards through a unified process to code development
8 and adoption in this state and to give all stakeholders the
9 opportunity to provide input without eroding the effectiveness of
10 existing safety provisions and professional standards.

11 SECTION 2. NEW LAW A new section of law to be
12 codified in the Oklahoma Statutes as Section 1000.21 of Title 59,
13 unless there is created a duplication in numbering, reads as
14 follows:

15 A. There is hereby created the Oklahoma Uniform Building
16 Code Commission, within the Oklahoma Department of Commerce, which
17 shall consist of eleven (11) members, eight of whom shall be
18 appointed by the Governor.

19 The Governor shall appoint initially three members who shall
20 serve for three (3) years, three members who shall serve for four
21 (4) years and two members who shall serve for five (5) years.
22 Such members shall serve until a successor has been appointed.
23 After the initial terms are served, the successors shall serve a
24 term of (5) years.

25 The appointed members shall be as follows:

- 26 1. One member who is from a statewide organization that
27 represents residential construction;

1 2. One member who is a general contractor from a statewide
2 organization that represents commercial construction;

3 3. One member who is from an organization that represents
4 electrical contractors;

5 4. One member who is from an organization that represents
6 plumbing contractors;

7 5. One member who is from an organization that represents
8 heating and cooling contractors;

9 6. One member who is a local-level regulator/inspector that
10 is a member of a municipal organization with statewide membership;

11 7. One member who is a Certified Building Official employed
12 by a political subdivision; and

13 8. One member who is from the general public without prior
14 direct ties to either the construction industry or government.

15 No appointed member shall serve more than two consecutive
16 terms, provided such a member shall be eligible to be reappointed
17 after a one-year absence from the Commission. Appointed members
18 of the Commission shall receive no compensation for serving, but
19 shall receive reimbursement for their necessary travel expenses
20 incurred in the performance of their duties.

21 B. The remaining three members of the Commission shall be
22 the State Fire Marshall, or a designee, the Administrator of the
23 Construction Industries Board, or a designee and the Commissioner
24 of Labor, or a designee.

25 SECTION 3. NEW LAW A new section of law to be
26 codified in the Oklahoma Statutes as Section 1000.22 of Title 59,
27 unless there is created a duplication in numbering, reads as

1 follows:

2 A. The Oklahoma Uniform Building Code Commission shall have
3 the power and the duty to review and recommend for adoption,
4 either in whole or in part, to the Oklahoma Legislature, the
5 building codes for residential and commercial construction to be
6 used by all entities within this state. Codes and standards
7 recommended by the Commission and adopted, in whole or in part, by
8 legislative action, shall be the default health, safety and
9 welfare and/or minimum safety standard of this state.

10 B. All public projects shall abide by such minimum safety
11 standards and requirements.

12 C. Municipalities and other political subdivisions shall
13 abide by such minimum safety standards and requirements, provided,
14 nothing in this act shall prevent or take away from such
15 municipalities and other political subdivisions the authority to
16 enact and enforce requirements containing higher standards and
17 requirements than such minimum safety standards and requirements.

18 SECTION 4. This act shall become effective November 1,
19 2009.

20 52-1-622 LKS 1/16/2009 6:27:28 AM

21 Req. No. *Req. No.*\Page 1

22 Req. No. 622Page 1