

**COMMITTEE AMENDMENT**  
HOUSE OF REPRESENTATIVES  
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1216 \_\_\_\_\_  
Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the Engrossed Bill

By deleting the content of the entire measure, and by inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

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

Amendment submitted by: Kevin West \_\_\_\_\_

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

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 PROPOSED POLICY  
4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 1216

By: West (Kevin)

7  
8  
9 PROPOSED POLICY COMMITTEE SUBSTITUTE

10 An Act relating to professions and occupations;  
11 amending 59 O.S. 2021, Section 1000.4, as amended by  
12 Section 2, Chapter 185, O.S.L. 2023 (59 O.S. Supp.  
13 2024, Section 1000.4), which relates to the  
14 Construction Industries Board; adding terms; adding  
15 penalty fees; modifying provisions to collected  
16 unpaid fines; and providing an effective date.

17  
18  
19 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

20 SECTION 1. AMENDATORY 59 O.S. 2021, Section 1000.4, as  
21 amended by Section 2, Chapter 185, O.S.L. 2023 (59 O.S. Supp. 2024,  
22 Section 1000.4), is amended to read as follows:

23 A. 1. Pursuant to and in compliance with Article I of the  
24 Administrative Procedures Act, the Construction Industries Board

1 shall have the power to adopt, amend, repeal, and promulgate rules  
2 as may be necessary to regulate the plumbing, electrical, roofing,  
3 and mechanical trades, building and construction inspectors and home  
4 inspectors. All rules promulgated by the Board shall be reviewed  
5 and approved as provided in subsection F of Section 308 of Title 75  
6 of the Oklahoma Statutes.

7 2. The Board shall have the power to enforce the provisions of  
8 the Construction Industries Board Act, The Plumbing License Law of  
9 1955, the Oklahoma Inspectors Act, the Electrical License Act, the  
10 Mechanical Licensing Act, the Home Inspection Licensing Act, and the  
11 Roofing Contractor Registration Act, as provided in the respective  
12 acts.

13 B. The Board shall have the following powers:

14 1. Exercise all incidental powers and duties which are  
15 necessary to effectuate the provisions of The Plumbing License Law  
16 of 1955, the Oklahoma Inspectors Act, the Electrical License Act,  
17 the Mechanical Licensing Act, the Home Inspection Licensing Act, and  
18 the Roofing Contractor Registration Act, including but not limited  
19 to authorizing the Board chair, vice-chair, administrator, or  
20 designee to determine good reason for and to cancel a scheduled  
21 meeting or reschedule meetings of a licensing or registration act  
22 advisory examining committee of the Board pursuant to state  
23 requirements. Such canceling or rescheduling meetings authority  
24

1 provided for in this section shall supersede all other meeting  
2 scheduling requirements for acts administered by the Board;

3 2. Serve as a code variance and appeals board for the trades  
4 and industries it regulates which do not have statutory code  
5 variance and appeals boards;

6 3. Order or subpoena the attendance of witnesses, the  
7 inspection of records and premises, and the production of relevant  
8 books and papers for the investigation of matters that may come  
9 before the Board;

10 4. Initiate disciplinary proceedings, request prosecution of  
11 and initiate injunctive proceedings against any person who violates  
12 any of the provisions of The Plumbing License Law of 1955, the  
13 Oklahoma Inspectors Act, the Electrical License Act, the Mechanical  
14 Licensing Act, the Home Inspection Licensing Act, and the Roofing  
15 Contractor Registration Act;

16 5. Maintain an administrative staff including, but not limited  
17 to, a Construction Industries Administrator whose appointment shall  
18 be made as provided in Section 1000.6 of this title;

19 6. Establish and levy administrative fines and penalties for  
20 violations of law or rule in the trades and industries the Board  
21 licenses or regulates or against any person or entity denying the  
22 Board or its representatives access to a job site for purposes of  
23 enforcing any of the provisions of The Plumbing License Law of 1955,  
24 the Oklahoma Inspectors Act, the Electrical License Act, the

1 Mechanical Licensing Act, the Home Inspection Licensing Act, or the  
2 Roofing Contractor Registration Act; provided, however, the Board is  
3 not authorized to inspect or issue administrative violations or  
4 fines for public utilities, public service corporations, intrastate  
5 gas pipeline companies, gas gathering pipeline companies, gas  
6 processing companies, rural electric associations, municipal  
7 utilities or their subsidiaries, chemical plants, gas processing  
8 plants or petroleum refineries where the entity uses their employees  
9 or contractors to work on their own facilities or equipment;  
10 provided further, that any fines established by the Board pursuant  
11 to the authority granted in this subsection for any second or  
12 subsequent violation of a law or rule shall be set at five (5) times  
13 the amount of the fine set by the Board for initial violations. The  
14 Board shall amend its rules to be consistent with the fine amounts  
15 set forth herein.

16 7. Direct such other expenditures as may be necessary in the  
17 performance of its duties including, but not limited to,  
18 expenditures for office space, equipment, furnishings and contracts  
19 for legal services. All expenditures shall be made pursuant to the  
20 Oklahoma Central Purchasing Act; and

21 8. Enforce provisions of the plumbing, electrical and  
22 mechanical codes as adopted by the Oklahoma Uniform Building Code  
23 Commission pursuant to the Oklahoma Uniform Building Code Commission  
24 Act.

1 C. The Board shall account for all receipts and expenditures of  
2 the monies of the Board, including annually preparing and publishing  
3 a statement of receipts and expenditures of the Board for each  
4 fiscal year. The Board's annual statement of receipts and  
5 expenditures shall be audited by the State Auditor and Inspector or  
6 an independent accounting firm in accordance with the provisions of  
7 subsection B of Section 212 of Title 74 of the Oklahoma Statutes,  
8 and the audit report shall be certified to the Governor of this  
9 state to be true and correct, under oath, by the chair and vice-  
10 chair of the Board. A copy of such certified report, if not already  
11 available online, shall be delivered to the chairs of the respective  
12 Senate and House of Representatives Committees having authority over  
13 matters relating to business, labor and construction industry  
14 licensing or regulation not later than February 1 each year.

15 D. The Board shall account for all fines, penalties and fees  
16 assessed and collected pursuant to the Administrative Procedures Act  
17 or any rule promulgated for regulation of any industry and trade  
18 under the authority of the Construction Industries Board. All  
19 fines, penalties and fees assessed for any violation of law or rule  
20 shall be automatically reviewed and brought before the entire Board  
21 for consideration and vote not later than ninety (90) days from  
22 which it was imposed. The Construction Industries Administrator  
23 shall present to the Board a written recommendation and summary for  
24 each case in which an assessment of a fine, penalty or fee was

1 imposed after administrative proceedings. The Board shall consider  
2 the recommendations for each case at the next meeting date and at  
3 such meeting shall either vote to affirm the recommendations or vote  
4 to deny the recommendations and remand the case for further  
5 administrative hearing, with or without instructions. No  
6 administrative case shall be delayed or continued by the Board after  
7 being placed on an agenda for final Board review, except with the  
8 consent of all parties. The licensee or persons affected by the  
9 imposition of an administrative fine, penalty or fee on final review  
10 by the Board shall have all rights of appeal preserved pursuant to  
11 the Administrative Procedures Act until final action by the Board.  
12 Collection of unpaid, finalized, administrative fines by the agency,  
13 directly or through contracted services unless otherwise provided in  
14 law, may be sought beginning ninety (90) days after final  
15 disposition and order of the matter through the processes  
16 established by this act and the Administrative Procedures Act.

17 E. The Construction Industries Board shall hear all appeals  
18 timely made from an administrative ruling relating to an industry  
19 and trade regulated by the Board; however, this appeal authority  
20 shall not be in addition to the appeal process authorized by the  
21 Administrative Procedures Act. Any ruling by the Board from an  
22 administrative hearing may be further appealed to the district court  
23 of Oklahoma County. The district court, upon conclusion of an  
24

1 appeal from a Board ruling, shall be authorized to award reasonable  
2 legal fees to the prevailing party.

3 SECTION 2. This act shall become effective November 1, 2025.  
4

5 60-1-12337 TKR 01/31/25  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24