

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

POLICY COMMITTEE
RECOMMENDATION

FOR

HOUSE BILL NO. 2085

By: Blair

POLICY COMMITTEE RECOMMENDATION

An Act relating to professions and occupations;
amending 59 O.S. 2021, Section 1000.20, which relates
to applicability of the Oklahoma Uniform Building
Code Commission Act; modifying applicability;
amending 59 O.S. 2021, Section 1000.21, which relates
to membership; modifying membership requirements;
amending 59 O.S. 2021, Section 1000.23, which relates
to powers and duties of the Commission; modifying
terms; modifying powers and duties to establish
continuing education; establishing procedures to
increase code official development; amending 59 O.S.
2021, Section 1000.25, which relates to fees;
modifying terms; and providing an effective date.

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

SECTION 1. AMENDATORY 59 O.S. 2021, Section 1000.20, is
amended to read as follows:

Section 1000.20. Sections 1000.20 through ~~1000.29~~ 1000.30 of
this title shall be known and may be cited as the "Oklahoma Uniform
Building Code Commission Act".

SECTION 2. AMENDATORY 59 O.S. 2021, Section 1000.21, is
amended to read as follows:

1 Section 1000.21. A. 1. There is hereby created the Oklahoma
2 Uniform Building Code Commission ~~within the Construction Industries~~
3 ~~Board~~ which shall consist of thirteen (13) members, eleven of whom
4 shall be appointed by the Governor with the advice and consent of
5 the Senate as follows:

- 6 a. one member who is a general contractor from a
7 statewide organization that represents residential
8 construction,
- 9 b. one member who is a general contractor from a
10 statewide organization that represents commercial
11 construction,
- 12 c. one member who is a contractor from a statewide
13 organization that represents electrical contractors,
- 14 d. one member who is a contractor from a statewide
15 organization that represents plumbing contractors,
- 16 e. one member who is a contractor from a statewide
17 organization that represents heating and cooling
18 contractors,
- 19 f. one member who is a licensed electrical engineer from
20 a state-recognized professional engineering firm,
- 21 g. one member who is a local-level regulator/inspector
22 who is a member of a statewide organization that is
23 exempt from taxation under federal law and designated
24 pursuant to the provisions of the Internal Revenue

1 Code of 1986, as amended, 26 U.S.C., Section 170(a),
2 who has represented municipalities and had statutory
3 functions for municipalities for at least ~~fifteen (15)~~
4 ten (10) years prior to November 1, 2005,

5 h. one member who is a ~~Certified Building Official~~
6 certified building official employed by a political
7 subdivision,

8 i. one member who is a licensed architect from a
9 statewide organization that represents architects,

10 j. one member who is from the insurance industry with
11 knowledge of building codes and experience in property
12 loss mitigation, and

13 k. one member who is a licensed mechanical engineer from
14 a state-recognized professional engineering firm.

15 2. The members shall be appointed for staggered terms of four
16 (4) years. ~~The initial appointment of the members added by this act~~
17 ~~shall be made within ninety (90) days of the effective date of this~~
18 ~~act.~~ A full term of office for purposes of determining term limits
19 provided in subsection C of this section shall be the completion of
20 a full four-year term of appointment.

21 B. The remaining two members of the Commission shall be the
22 State Fire Marshal, or a designee, and an appointee of the
23 Construction Industries Board.

1 C. Appointed members shall continue in office until a successor
2 is appointed by the Governor, notwithstanding the term limitations.
3 No appointed member shall serve more than two consecutive full four-
4 year terms; provided, such a member shall be eligible to serve until
5 a successor is appointed, and such member may be reappointed after a
6 two-year absence from the Commission. The Governor shall fill all
7 vacancies and unexpired terms in the same manner as the original
8 appointment of the member whose position is to be filled. No
9 initial appointment to a term of less than four (4) years or any
10 partial-term appointment to fill a vacancy or unexpired term of
11 another member shall be counted for purposes of determining term
12 limits. An appointed member may be removed by the Governor for
13 cause.

14 D. Whenever a member of the Commission is absent from more than
15 one-half ~~(1/2)~~ of all meetings of the governing body, regular and
16 special, held within any period of twelve (12) consecutive months,
17 the member shall thereupon cease to hold office by operation of law.

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

20 Section 1000.23. A. The Oklahoma Uniform Building Code
21 Commission shall have the power and the duty to review and adopt all
22 ~~building~~ codes and standards for residential and commercial
23 construction to be used by all entities within this state. Codes
24

1 and standards adopted by the Commission shall be the minimum
2 standards for residential and commercial construction in this state.

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

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

16 D. The Oklahoma Uniform Building Code Commission shall have the
17 power and duty to establish a continuing education and training and
18 certification process for all residential and commercial building
19 construction industry personnel affected by the codes adopted by the
20 Commission, including, but not limited to, code inspectors
21 officials, design professionals, and trade workers. ~~The Commission~~
22 ~~shall establish regional training for the purpose of training the~~
23 ~~county and municipal inspectors in the Uniform Building Code.~~ The
24 regional training shall be offered at no cost to ~~the participant~~

1 state licensed building code officials and shall be funded from the
2 funds received pursuant to Section 1000.25 of this title. A fee may
3 be assessed to all participants other than state licensed code
4 officials. When assessed, shall be limited to any cost directly
5 associated with the training and shall be remitted to the State
6 Treasury pursuant to the Oklahoma Uniform Building Code Commission
7 Act. Such fees shall be deposited in the Oklahoma Uniform Building
8 Code Commission Revolving Fund and shall be used solely for the
9 purposes of the Oklahoma Uniform Building Code Commission Act. Each
10 ~~inspector~~ code official operating in this state on behalf of any
11 state agency or any municipal or county office may complete regional
12 training and be issued a ~~certification for inspections~~ certificate
13 of completion by the Oklahoma Uniform Building Code Commission ~~on~~
14 ~~and after January 1, 2015.~~ The training and certification
15 applications, qualifications and procedures shall be promulgated by
16 rules of the Commission. The Commission may establish forms and
17 procedures to implement and administer the provisions of this
18 section.

19 E. The Commission shall establish a workforce development
20 process with the purpose of increasing the number of available code
21 officials in Oklahoma. The Commission shall promulgate rules on the
22 workforce development applications, qualifications, forms, and
23 procedures to implement and administer the provisions of this
24 section.

1 SECTION 4. AMENDATORY 59 O.S. 2021, Section 1000.25, is
2 amended to read as follows:

3 Section 1000.25. A. The Oklahoma Uniform Building Code
4 Commission shall establish a system of fees to be charged for the
5 issuance and renewal of any construction permits issued by any
6 agency, municipality, or other political subdivision of this state.

7 B. This provision is subject to the following limitations:

8 1. No schedule of fees may be established or amended by the
9 Commission except during such times as the Legislature is in
10 session; provided, the Commission may establish or amend a schedule
11 of fees at a time when the Legislature is not in session if the fees
12 or schedule of fees has been specifically authorized by the
13 Legislature pursuant to paragraphs ~~2~~ 3 and ~~3~~ 4 of this subsection.
14 The Commission must follow the procedures required by Article I of
15 the Administrative Procedures Act for adoption of rules in
16 establishing or amending any such schedule of fees;

17 2. The Commission shall charge fees for ~~building~~ construction
18 permits and renewal of such permits issued by any state agency,
19 municipality, or other political subdivision of this state which
20 authorized work governed by codes within the purview of the
21 Commission only within the following ranges:

22 ~~For~~

23 a. for issuance of permit not to exceed \$5.00

24 ~~For~~

1 b. for renewal of permit not to exceed \$5.00

2 3. Fees shall be remitted to the Oklahoma Uniform Building Code
3 Commission within thirty (30) days after the end of the preceding
4 calendar month. The Oklahoma Uniform Building Code Commission shall
5 report electronically to the Governor, President Pro Tempore of the
6 Senate and the Speaker of the House semiannually its collections for
7 the six (6) months preceding the report;

8 ~~3.~~ 4. Fees shall be collected by any state agency, municipality
9 or other political subdivision issuing construction permits within
10 this state. The fees shall be deposited in an account created by
11 the collecting entity for that purpose;

12 ~~4.~~ 5. The state agency, municipality or other political
13 subdivision shall remit the monies in the account on a monthly basis
14 directly to the State Treasury for deposit in the Oklahoma Uniform
15 Building Code Commission Revolving Fund created pursuant to Section
16 1000.28 of this title. Along with the deposits required by this
17 paragraph, each state agency, municipality or other political
18 subdivision shall also submit a report stating the total amount of
19 funds collected and the total number of fees imposed during the
20 preceding month. The report shall be made on computerized or manual
21 disposition reports as provided by rule of the Commission;

22 ~~5.~~ 6. Any state agency, municipality or other political
23 subdivision collecting and remitting fees pursuant to this section
24 may levy a fee up to fifty cents (\$0.50) for every construction

1 permit or renewal permit issued. These monies shall be deposited
2 into an account for the sole use of the state agency, municipality
3 or other political subdivision. The state agency, municipality or
4 other political subdivision shall state the total amount of funds
5 collected and the total number of fees imposed to the State Treasury
6 in the report required by paragraph 4 5 of this subsection;

7 ~~6.~~ 7. It shall be the responsibility of the state agency,
8 municipality or other political subdivision to account for and
9 ensure the correctness and accuracy of payments made to the State
10 Treasury pursuant to this title;

11 ~~7.~~ 8. Funds collected by a state agency, municipality or other
12 political subdivision and remitted to the State Treasury pursuant to
13 the Oklahoma Uniform Building Code Commission Act shall be deposited
14 in the Oklahoma Uniform Building Code Commission Revolving Fund and
15 shall be used solely for the purposes of the Oklahoma Uniform
16 Building Code Commission Act; and

17 ~~8.~~ 9. Nothing in ~~this act~~ the Oklahoma Uniform Building Code
18 Commission Act shall prevent the Oklahoma Uniform Building Code
19 Commission from offering incentives for prompt payment.

20 SECTION 5. This act shall become effective November 1, 2025.

21

22 60-1-12900 TKR 02/25/25

23

24