

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 2085

6 By: Blair

7
8 COMMITTEE SUBSTITUTE

9 An Act relating to professions and occupations;
10 amending 59 O.S. 2021, Section 1000.20, which relates
11 to applicability of the Oklahoma Uniform Building
12 Code Commission Act; modifying applicability;
13 amending 59 O.S. 2021, Section 1000.21, which relates
14 to membership; modifying membership requirements;
15 amending 59 O.S. 2021, Section 1000.23, which relates
16 to powers and duties of the Commission; modifying
17 terms; modifying powers and duties to establish
18 continuing education; establishing procedures to
19 increase code official development; amending 59 O.S.
20 2021, Section 1000.25, which relates to fees;
21 modifying terms; and providing an effective date.

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

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

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

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

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

- 11 a. one member who is a general contractor from a
12 statewide organization that represents residential
13 construction,
- 14 b. one member who is a general contractor from a
15 statewide organization that represents commercial
16 construction,
- 17 c. one member who is a contractor from a statewide
18 organization that represents electrical contractors,
- 19 d. one member who is a contractor from a statewide
20 organization that represents plumbing contractors,
- 21 e. one member who is a contractor from a statewide
22 organization that represents heating and cooling
23 contractors,

24

- 1 f. one member who is a licensed electrical engineer from
2 a state-recognized professional engineering firm,
3 g. one member who is a local-level regulator/inspector
4 who is a member of a statewide organization that is
5 exempt from taxation under federal law and designated
6 pursuant to the provisions of the Internal Revenue
7 Code of 1986, as amended, 26 U.S.C., Section 170(a),
8 who has represented municipalities and had statutory
9 functions for municipalities for at least ~~fifteen (15)~~
10 ten (10) years ~~prior to November 1, 2005,~~
11 h. one member who is a ~~Certified Building Official~~
12 certified building official employed by a political
13 subdivision,
14 i. one member who is a licensed architect from a
15 statewide organization that represents architects,
16 j. one member who is from the insurance industry with
17 knowledge of building codes and experience in property
18 loss mitigation, and
19 k. one member who is a licensed mechanical engineer from
20 a state-recognized professional engineering firm.

21 2. The members shall be appointed for staggered terms of four
22 (4) years. ~~The initial appointment of the members added by this act~~
23 ~~shall be made within ninety (90) days of the effective date of this~~
24 ~~act.~~ A full term of office for purposes of determining term limits

1 provided in subsection C of this section shall be the completion of
2 a full four-year term of appointment.

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

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

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

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

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

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

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

20 D. The Oklahoma Uniform Building Code Commission shall have the
21 power and duty to establish a continuing education and training and
22 certification process for all residential and commercial ~~building~~
23 construction industry personnel affected by the codes adopted by the
24 Commission, including, but not limited to, code ~~inspectors~~

1 officials, design professionals, and trade workers. ~~The Commission~~
2 ~~shall establish regional training for the purpose of training the~~
3 ~~county and municipal inspectors in the Uniform Building Code.~~ The
4 regional training shall be offered at no cost to ~~the participant~~
5 state licensed building code officials and shall be funded from the
6 funds received pursuant to Section 1000.25 of this title. A fee may
7 be assessed to all participants other than state licensed code
8 officials. When assessed, shall be limited to any cost directly
9 associated with the training and shall be remitted to the State
10 Treasury pursuant to the Oklahoma Uniform Building Code Commission
11 Act. Such fees shall be deposited in the Oklahoma Uniform Building
12 Code Commission Revolving Fund and shall be used solely for the
13 purposes of the Oklahoma Uniform Building Code Commission Act. Each
14 ~~inspector~~ code official operating in this state on behalf of any
15 state agency or any municipal or county office may complete regional
16 training and be issued a ~~certification for inspections~~ certificate
17 of completion by the Oklahoma Uniform Building Code Commission ~~on~~
18 ~~and after January 1, 2015.~~ The training and certification
19 applications, qualifications and procedures shall be promulgated by
20 rules of the Commission. The Commission may establish forms and
21 procedures to implement and administer the provisions of this
22 section.

23 E. The Commission shall establish a workforce development
24 process with the purpose of increasing the number of available code

1 officials in Oklahoma. The Commission shall promulgate rules on the
2 workforce development applications, qualifications, forms, and
3 procedures to implement and administer the provisions of this
4 section.

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

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

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

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

21 2. The Commission shall charge fees for ~~building~~ construction
22 permits and renewal of such permits issued by any state agency,
23 municipality, or other political subdivision of this state which
24

1 authorized work governed by codes within the purview of the
2 Commission only within the following ranges:

3 ~~For~~

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

5 ~~For~~

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

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

13 ~~3.~~ 4. Fees shall be collected by any state agency, municipality
14 or other political subdivision issuing construction permits within
15 this state. The fees shall be deposited in an account created by
16 the collecting entity for that purpose;

17 ~~4.~~ 5. The state agency, municipality or other political
18 subdivision shall remit the monies in the account on a monthly basis
19 directly to the State Treasury for deposit in the Oklahoma Uniform
20 Building Code Commission Revolving Fund created pursuant to Section
21 1000.28 of this title. Along with the deposits required by this
22 paragraph, each state agency, municipality or other political
23 subdivision shall also submit a report stating the total amount of
24 funds collected and the total number of fees imposed during the

1 preceding month. The report shall be made on computerized or manual
2 disposition reports as provided by rule of the Commission;

3 ~~5.~~ 6. Any state agency, municipality or other political
4 subdivision collecting and remitting fees pursuant to this section
5 may levy a fee up to fifty cents (\$0.50) for every construction
6 permit or renewal permit issued. These monies shall be deposited
7 into an account for the sole use of the state agency, municipality
8 or other political subdivision. The state agency, municipality or
9 other political subdivision shall state the total amount of funds
10 collected and the total number of fees imposed to the State Treasury
11 in the report required by paragraph 4 5 of this subsection;

12 ~~6.~~ 7. It shall be the responsibility of the state agency,
13 municipality or other political subdivision to account for and
14 ensure the correctness and accuracy of payments made to the State
15 Treasury pursuant to this title;

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

22 ~~8.~~ 9. Nothing in ~~this act~~ the Oklahoma Uniform Building Code
23 Commission Act shall prevent the Oklahoma Uniform Building Code
24 Commission from offering incentives for prompt payment.

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

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