

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 55th Legislature (2016)

4 COMMITTEE SUBSTITUTE
5 FOR ENGROSSED
6 SENATE BILL NO. 1329

By: Ford of the Senate

and

Dunlap and Strohm of the
House

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10 COMMITTEE SUBSTITUTE

11 [building codes - church activities - occupancy
12 ratings and codes - effective date]

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

16 SECTION 1. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 317.2 of Title 74, unless there
18 is created a duplication in numbering, reads as follows:

19 A. Nothing in the Oklahoma Uniform Building Code or any
20 building code adopted by any political subdivision of this state, or
21 any rules or regulations promulgated thereto, shall prohibit any
22 Fire Marshal, or any state agency or political subdivision of this
23 state or its officials, from allowing a church that is occupancy-
24 rated an A3 building pursuant to the International Building Code to

1 utilize its building space for temporary overnight visitors for the
2 purpose of religious retreats, ministry programs, overnight or lock-
3 in events, emergency or catastrophic occurrences, to shelter
4 transient persons or to accommodate displaced persons due to
5 hardship or inclement weather. Such building use shall not
6 constitute a change in code occupancy rating, purposes or
7 activities. Provided, any temporary overnight visitor space
8 utilized by a church within its existing buildings as authorized by
9 this section shall be authorized only for a limited duration, unless
10 the Governor has declared a state of emergency or exigent
11 circumstances exist. The church acting pursuant to the provisions
12 of this section shall not charge for its accommodations nor be
13 deemed a bed and breakfast, hotel or motel for any code occupancy
14 rating purposes.

15 B. Nothing in the Oklahoma Uniform Building Code or any code
16 adopted by any political subdivision of this state, or any rules or
17 regulations promulgated pursuant thereto, shall be construed to
18 cause a church to be in violation of the Oklahoma Uniform Building
19 Code or any building code adopted by a political subdivision of this
20 state for the sole reason the church offers temporary overnight
21 visitor services within the authority of this section.

22 C. As used in this section:

23 1. "Church" means a facility that is owned by a religious
24 organization and that is used primarily for religious services;

1 2. "Religious organization" means any church, seminary,
2 synagogue, temple, mosque, religious order, religious corporation,
3 association or society, whose identity is distinctive in terms of
4 common religious creed, beliefs, doctrines, practices or rituals, of
5 any faith or denomination, including any organization qualifying as
6 a church or religious organization under Section 501(c)(3) or 501(d)
7 of the United States Internal Revenue Code; and

8 3. "Temporary" means no more than seven (7) consecutive days,
9 accumulating to no more than forty (40) days in a calendar year.

10 SECTION 2. This act shall become effective November 1, 2016.

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12 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
13 04/07/2016 - DO PASS, As Amended and Coauthored.
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