

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 56th Legislature (2017)

4 COMMITTEE SUBSTITUTE
5 FOR ENGROSSED
6 SENATE BILL NO. 312

By: Simpson of the Senate

and

Ownbey of the House

8
9 COMMITTEE SUBSTITUTE

10 An Act relating to building codes; amending Section
11 1, Chapter 378, O.S.L. 2016 (74 O.S. Supp. 2016,
12 Section 317.2), which relates to church
13 accommodations; modifying definitions; adding certain
14 requirement for certain purpose; providing an
15 effective date; and declaring an emergency.

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

17 SECTION 1. AMENDATORY Section 1, Chapter 378, O.S.L.
18 2016 (74 O.S. Supp. 2016, Section 317.2), is amended to read as
19 follows:

20 Section 317.2 A. The Oklahoma Uniform Building Code or any
21 building code adopted by any political subdivision of this state, or
22 any rules or regulations promulgated thereto, may permit the
23 authority having jurisdiction to allow a church that is occupancy-
24 rated an A3 building pursuant to any codes adopted by the Oklahoma
Uniform Building Code Commission to utilize its building space for

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

14 B. Churches which temporarily accommodate overnight visitors as
15 provided in this section shall have one of the following:

16 1. An automatic sprinkler system in the area of overnight
17 accommodations that is monitored by a third party; or

18 2. A hard-wired stand-alone fire and smoke alarm in the area of
19 overnight accommodations in addition to an exit door or window
20 opening directly to a public way, exit court or yard area.

21 C. Nothing in the Oklahoma Uniform Building Code or any code
22 adopted by any political subdivision of this state, or any rules or
23 regulations promulgated pursuant thereto, shall be construed to
24 cause a church to be in violation of the Oklahoma Uniform Building

1 Code or any building code adopted by a political subdivision of this
2 state for the sole reason the church offers temporary overnight
3 visitor services within the authority of this section.

4 D. As used in this section:

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

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

14 3. "Temporary" means ~~no more than seven (7) consecutive days,~~
15 ~~accumulating to no more than forty (40)~~ seventy-five (75) days in a
16 calendar year.

17 SECTION 2. This act shall become effective July 1, 2017.

18 SECTION 3. It being immediately necessary for the preservation
19 of the public peace, health or safety, an emergency is hereby
20 declared to exist, by reason whereof this act shall take effect and
21 be in full force from and after its passage and approval.

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23 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
24 04/18/2017 - DO PASS, As Amended.