

ENROLLED SENATE
BILL NO. 306

By: Leftwich of the Senate

and

Jordan of the House

An Act relating to cities and towns; requiring verification that certain contractors have certain insurance or exemption verification documentation; providing exemption; providing for certain fee; exempting entities from certain liability; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 43-109.2 of Title 11, unless there is created a duplication in numbering, reads as follows:

A. Any entity that issues building permits shall, before issuance of a residential building permit, obtain a certificate of insurance from the appropriate insurer that the contractor has general liability insurance in an amount required by other construction trade contractors licensed by the Construction Industries Board and that the contractor has workers' compensation insurance or a workers' compensation exemption verification document. A residential building permit shall be defined for this section as any building permit for a single-family or a duplex residential structure and shall include construction of a new structure, remodel of an existing structure, and the addition to an existing structure. Not included under the definition of a residential building permit are a single-family or a duplex carport, patio cover, storage building, accessory building, pool, or fence.

B. This provision shall not apply to a person or persons performing the construction or remodeling to his, her, or their own existing single-family or duplex structure on their own property, unless the modifications are being performed by and the permit acquired by a general contractor or subcontractor, in which case the general contractor or subcontractor shall meet the requirements set forth in this section.

C. If the entity should require a contractor to register in order to monitor insurance verifications, the registration fee shall not exceed the fee assessed by the entity for other construction trade contractors licensed by the Construction Industries Board.

D. The entity shall not be liable if the documentation provided is false or if the general liability insurance or workers' compensation insurance lapses after the building permit is issued.

SECTION 2. This act shall become effective November 1, 2009.

Passed the Senate the 6th day of May, 2009.

Presiding Officer of the Senate

Passed the House of Representatives the 11th day of May, 2009.

Presiding Officer of the House
of Representatives