An Act

ENROLLED SENATE
BILL NO. 1329

By: Ford of the Senate

and

Dunlap, Strohm and Johnson
of the House

An Act relating to building codes; permitting certain church activities under certain occupancy ratings and codes; construing certain use of building; limiting certain use; providing certain exception to certain limitations; construing certain building use as a non-violation of code; defining terms; providing for codification; and providing an effective date.

SUBJECT: Building code exemptions

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 317.2 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. The Oklahoma Uniform Building Code or any building code adopted by any political subdivision of this state, or any rules or regulations promulgated thereto, may permit the authority having jurisdiction to allow a church that is occupancy-rated an A3 building pursuant to any codes adopted by the Oklahoma Uniform Building Code Commission to utilize its building space for temporary overnight visitors for the purpose of religious retreats, ministry programs, overnight or lock-in events, emergency or catastrophic occurrences, to shelter transient persons or to accommodate displaced persons due to hardship or inclement weather. Such

building use shall not constitute a change in code occupancy rating, purposes or activities. Provided, any temporary overnight visitor space utilized by a church within its existing buildings as authorized by this section shall be authorized only for a limited duration, unless the Governor has declared a state of emergency or exigent circumstances exist. The church acting pursuant to the provisions of this section shall not charge for its accommodations nor be deemed a bed and breakfast, hotel or motel for any code occupancy rating purposes.

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

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

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

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

D. As used in this section:

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

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

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

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

Passed the Senate the 23rd day of May, 2016.

Eddie Fields
Presiding Officer of the Senate

Passed the House of Representatives the 24th day of May, 2016.

Lee R. Denney Jr.
Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 24th day of May, 2016, at 4:10 o'clock P M.

By: Audrey Rockwell

Approved by the Governor of the State of Oklahoma this 6th day of June, 2016, at 3:58 o'clock P M.

Mary Fallin
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 6th day of June, 2016, at 4:53 o'clock P. M.

By: Chris Benge