

1 ENGROSSED HOUSE  
2 BILL NO. 1216

3 By: West (Kevin) of the House

4 and

5 Alvord of the Senate

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7 An Act relating to professions and occupations;  
8 amending 59 O.S. 2021, Section 1000.4, as amended by  
9 Section 2, Chapter 185, O.S.L. 2023 (59 O.S. Supp.  
10 2024, Section 1000.4), which relates to the  
Construction Industries Board; adding terms; adding  
penalty fees; modifying provisions to collect unpaid  
fines; and providing an effective date.

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

14 SECTION 1. AMENDATORY 59 O.S. 2021, Section 1000.4, as  
15 amended by Section 2, Chapter 185, O.S.L. 2023 (59 O.S. Supp. 2024,  
16 Section 1000.4), is amended to read as follows:

17 Section 1000.4. A. 1. Pursuant to and in compliance with  
18 Article I of the Administrative Procedures Act, the Construction  
19 Industries Board shall have the power to adopt, amend, repeal, and  
20 promulgate rules as may be necessary to regulate the plumbing,  
21 electrical, roofing, and mechanical trades, building and  
22 construction inspectors and home inspectors. All rules promulgated  
23 by the Board shall be reviewed and approved as provided in  
24 subsection F of Section 308 of Title 75 of the Oklahoma Statutes.

1       2. The Board shall have the power to enforce the provisions of  
2 the Construction Industries Board Act, The Plumbing License Law of  
3 1955, the Oklahoma Inspectors Act, the Electrical License Act, the  
4 Mechanical Licensing Act, the Home Inspection Licensing Act, and the  
5 Roofing Contractor Registration Act, as provided in the respective  
6 acts.

7           B. The Board shall have the following powers:

8           1. Exercise all incidental powers and duties which are  
9 necessary to effectuate the provisions of The Plumbing License Law  
10 of 1955, the Oklahoma Inspectors Act, the Electrical License Act,  
11 the Mechanical Licensing Act, the Home Inspection Licensing Act, and  
12 the Roofing Contractor Registration Act, including but not limited  
13 to authorizing the Board chair, vice-chair, administrator, or  
14 designee to determine good reason for and to cancel a scheduled  
15 meeting or reschedule meetings of a licensing or registration act  
16 advisory examining committee of the Board pursuant to state  
17 requirements. Such canceling or rescheduling meetings authority  
18 provided for in this section shall supersede all other meeting  
19 scheduling requirements for acts administered by the Board;

20           2. Serve as a code variance and appeals board for the trades  
21 and industries it regulates which do not have statutory code  
22 variance and appeals boards;

23           3. Order or subpoena the attendance of witnesses, the  
24 inspection of records and premises, and the production of relevant

1 books and papers for the investigation of matters that may come  
2 before the Board;

3       4. Initiate disciplinary proceedings, request prosecution of  
4 and initiate injunctive proceedings against any person who violates  
5 any of the provisions of The Plumbing License Law of 1955, the  
6 Oklahoma Inspectors Act, the Electrical License Act, the Mechanical  
7 Licensing Act, the Home Inspection Licensing Act, and the Roofing  
8 Contractor Registration Act;

9       5. Maintain an administrative staff including, but not limited  
10 to, a Construction Industries Administrator whose appointment shall  
11 be made as provided in Section 1000.6 of this title;

12       6. Establish and levy administrative fines and penalties for  
13 violations of law or rule in the trades and industries the Board  
14 licenses or regulates or against any person or entity denying the  
15 Board or its representatives access to a job site for purposes of  
16 enforcing any of the provisions of The Plumbing License Law of 1955,  
17 the Oklahoma Inspectors Act, the Electrical License Act, the  
18 Mechanical Licensing Act, the Home Inspection Licensing Act, or the  
19 Roofing Contractor Registration Act; provided, however, the Board is  
20 not authorized to inspect or issue administrative violations or  
21 fines for public utilities, public service corporations, intrastate  
22 gas pipeline companies, gas gathering pipeline companies, gas  
23 processing companies, rural electric associations, municipal  
24 utilities or their subsidiaries, chemical plants, gas processing

1 plants or petroleum refineries where the entity uses their employees  
2 or contractors to work on their own facilities or equipment;  
3 provided further, that any fines established by the Board pursuant  
4 to the authority granted in this subsection for any second or  
5 subsequent violation of a law or rule shall be set at five times the  
6 amount of the fine set by the Board for initial violations. The  
7 Board shall amend its rules to be consistent with the fine amounts  
8 set forth herein;

9       7. Direct such other expenditures as may be necessary in the  
10 performance of its duties including, but not limited to,  
11 expenditures for office space, equipment, furnishings and contracts  
12 for legal services. All expenditures shall be made pursuant to the  
13 Oklahoma Central Purchasing Act; and

14       8. Enforce provisions of the plumbing, electrical and  
15 mechanical codes as adopted by the Oklahoma Uniform Building Code  
16 Commission pursuant to the Oklahoma Uniform Building Code Commission  
17 Act.

18       C. The Board shall account for all receipts and expenditures of  
19 the monies of the Board, including annually preparing and publishing  
20 a statement of receipts and expenditures of the Board for each  
21 fiscal year. The Board's annual statement of receipts and  
22 expenditures shall be audited by the State Auditor and Inspector or  
23 an independent accounting firm in accordance with the provisions of  
24 subsection B of Section 212 of Title 74 of the Oklahoma Statutes,

1 and the audit report shall be certified to the Governor of this  
2 state to be true and correct, under oath, by the chair and vice-  
3 chair of the Board. A copy of such certified report, if not already  
4 available online, shall be delivered to the chairs of the respective  
5 Senate and House of Representatives Committees having authority over  
6 matters relating to business, labor and construction industry  
7 licensing or regulation not later than February 1 each year.

8       D. The Board shall account for all fines, penalties and fees  
9 assessed and collected pursuant to the Administrative Procedures Act  
10 or any rule promulgated for regulation of any industry and trade  
11 under the authority of the Construction Industries Board. All  
12 fines, penalties and fees assessed for any violation of law or rule  
13 shall be automatically reviewed and brought before the entire Board  
14 for consideration and vote not later than ninety (90) days from  
15 which it was imposed. The Construction Industries Administrator  
16 shall present to the Board a written recommendation and summary for  
17 each case in which an assessment of a fine, penalty or fee was  
18 imposed after administrative proceedings. The Board shall consider  
19 the recommendations for each case at the next meeting date and at  
20 such meeting shall either vote to affirm the recommendations or vote  
21 to deny the recommendations and remand the case for further  
22 administrative hearing, with or without instructions. No  
23 administrative case shall be delayed or continued by the Board after  
24 being placed on an agenda for final Board review, except with the

1 consent of all parties. The licensee or persons affected by the  
2 imposition of an administrative fine, penalty or fee on final review  
3 by the Board shall have all rights of appeal preserved pursuant to  
4 the Administrative Procedures Act until final action by the Board.

5 Collection of unpaid, finalized administrative fines by the Board,  
6 directly or through contracted services unless otherwise provided in  
7 law, may be sought beginning ninety (90) days after final  
8 disposition and order of the matter through the processes  
9 established by this act and the Administrative Procedures Act.

10       E. The Construction Industries Board shall hear all appeals  
11 timely made from an administrative ruling relating to an industry  
12 and trade regulated by the Board; however, this appeal authority  
13 shall not be in addition to the appeal process authorized by the  
14 Administrative Procedures Act. Any ruling by the Board from an  
15 administrative hearing may be further appealed to the district court  
16 of Oklahoma County. The district court, upon conclusion of an  
17 appeal from a Board ruling, shall be authorized to award reasonable  
18 legal fees to the prevailing party.

19       SECTION 2. This act shall become effective November 1, 2025.  
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Passed the House of Representatives the 4th day of March, 2025.

Presiding Officer of the House  
of Representatives

Passed the Senate the \_\_\_\_\_ day of \_\_\_\_\_, 2025.

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Presiding Officer of the Senate