



J. Kevin Stitt
Office of the Governor
State of Oklahoma

**NOTIFICATION FROM GOVERNOR J. KEVIN STITT
REGARDING SUBMITTED AGENCY RULES**

On July 23, 2026, the Construction Industries Board, pursuant to its legal authority to adopt rules codified at 59 O.S. §§ 858-625, 858-627, 1000.4, 1000.4a, 1000.5, 1002, 1151.2a, 1151.4, 1032, 1681 and 1850.3, submitted proposed permanent rule amendments to the Office of the Governor for approval or disapproval.

On August 20, 2026, I hereby approve all rules changes in Docket Numbers: 26-643, 644, 645, 646, 647, 648, 649 and 650.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA

A handwritten signature in black ink, appearing to read "K Stitt", is written over a horizontal line.

J. KEVIN STITT

ATTEST:

SECRETARY OF STATE

RULE IMPACT STATEMENT

TITLE 158. CONSTRUCTION INDUSTRIES BOARD CHAPTER 1. PROCEDURES OF THE OKLAHOMA CONSTRUCTION INDUSTRIES BOARD

1. **STATEMENT OF NEED, LEGAL BASIS AND BRIEF DESCRIPTION OF PURPOSE OF PROPOSED RULE:** The statement of need is mainly to update rules to reflect recent legislation, SB1732, as supported by 59 O.S. §§ 1000.4 and 1000.5. The purpose of proposed amendments to 158:1-1-1 is to add statutory authority to assist with legislative rule requirements and legislative analysis and review during session; the purpose of proposed amendments to 158:1-1-2 is to update ALJ qualifications and accountability for required conduct, to update to reflect a 2022 law creating the Civil Service and Human Capital Modernization Act at 62 O.S. § 34.301; the purpose of the proposed amendments to 158:1-3-8 and 158:1-3-9 is to update to reflect the recent law changes from SB1732; the purpose of proposed amendments to 158:1-5-2, 158:1-5-13 and 158:1-5-17 are to clarify the calculation of important due dates; the proposed amendment to 158:1-9-1 is to add statutory authority to assist with legislative rule requirements and legislative analysis and review during session; the proposed amendments to 158:1-9-2 and 158:1-9-3 are due to law changes from HB2858 (2023) and HB1256 (2025). The rule is not mandated by federal law or required for participation or implementation of a federal program. There are no existing or proposed federal regulations intended to address activities regulated by the proposed rules.
2. **CLASSIFICATION OF THE RULE AS MAJOR OR NONMAJOR:** The proposed rule amendments that are required due to law changes created in SB1732 do not make this a major rule. Although SB1732 does begin to change fees starting in FY29, the formal project review for code conformance fee change makes it a flat fee of \$200.00 instead of it previously being an amount not to exceed \$200.00. There was \$0.00 taken in for this in FY26, therefore the agency does not believe even potential future monies received from this would meet the statutory dollar amount threshold over the first five years to make it a major rule.
3. **DESCRIPTION OF THE CLASSES OF PERSONS AFFECTED:** The agency, members of industry and persons subject to the provisions of The Plumbing License Law of 1955, the Electrical License Act, the Mechanical Licensing Act, the Oklahoma Inspectors Act, the Home Inspection Licensing Act, the Roofing Contractor Registration Act.
4. **CLASSES OF PERSONS BENEFITTED:** The agency, members of industry and persons subject to the provisions of The Plumbing License Law of 1955, the Electrical License Act, the Mechanical Licensing Act, the Oklahoma Inspectors Act, the Home Inspection Licensing Act, the Roofing Contractor Registration Act, members of the public interested in the trades, and the citizens of Oklahoma.

5. **ECONOMIC IMPACT UPON AFFECTED CLASSES OF PERSONS:** No fees are established, only changed from the wording “not to exceed \$200.00” to a set fee of \$200.00, so there should be no, or a very minimal economic impact on any classes of person. Additionally, it is difficult to accurately estimate any potential economic impact on the affected class of persons because there are no prior year numbers to use in the calculation of a future projection.
6. **COSTS AND BENEFITS TO THE AGENCY:** Implementation of the proposed amendments related to the fee change created in SB1732 will require only routine administrative activities, including: drafting proposed rules, updating licensing forms; revising instructional materials; updating electronic licensing systems; updating website references; notifying regulated licensees/registrants of rule changes; providing staff training where necessary. The CIB anticipates these activities can be completed using existing personnel and resources. The benefit is to have clear, unambiguous rules in place to assist those impacted by the statutory changes.
7. **ECONOMIC IMPACT ON POLITICAL SUBDIVISIONS:** The proposed amendments are not expected to create any economic impact upon political subdivisions or other public agencies.

Municipalities and counties responsible for permitting or inspection activities may benefit from improved consistency between these proposed administrative rules and current statutory requirements, resulting in greater administrative efficiency.

8. **ECONOMIC IMPACT ON SMALL BUSINESS:** Where any increased fee obligations might exist, those obligations arise directly from statutory changes enacted by the Legislature in SB1732 rather than from discretionary rulemaking by the Board.

From an economic perspective there has been no increase in fees since 2009, and higher fees act as an increase in the cost of doing business. Businesses have benefited from no fee increase for over 17 years. Businesses could absorb the expense, pass some or all of it on to customers through higher prices, or reduce costs elsewhere to comply with the changed fee.

The potential economic impact includes the new set fee for formal project review for code conformance. However, it is difficult to accurately estimate any additional potential economic impact from SB 1732 on small businesses because no businesses paid for this service in at least the past year, making it difficult to accurately project the potential economic impact if any exists.

9. **MEASURES TAKEN TO MINIMIZE COMPLIANCE COSTS:** The proposed amendments are the least costly or least intrusive method of achieving the purpose of the proposed rules and required statutory changes. There are no non-regulatory methods for achieving the purpose of the proposed rule changes.
10. **EFFECT OF THE PROPOSED RULE ON PUBLIC HEALTH:** The proposed amendments promote public health, safety and welfare by ensuring that Oklahoma licensing/registration regulations remain current, consistent, and fully aligned with statutory authority. Clear administrative rules support effective licensing, enforcement,

examination, continuing education and licensee/registrant accountability, thereby helping ensure that trade work through the state continues to be performed by qualified individuals meeting statewide standards which should have a positive effect on public health.

11. **DETRIMENTS TO PUBLIC HEALTH IF THE RULE IS NOT ADOPTED:** Failure to adopt the proposed amendments would leave portions of the construction industry regulations and rules inconsistent with current statutes, create avoidable administrative uncertainty, increase the potential for inconsistent interpretation, and reduce the efficiency of licensing and enforcement activities. Maintaining outdated regulatory language could also create confusion for applicants, licensees/registrants, local jurisdictions and the public. Any alternative to adopting the rules would leave portions of the rules inconsistent with current statutes.
12. **DATE IMPACT STATEMENT PREPARED:** August 31, 2026.

TITLE 158. CONSTRUCTION INDUSTRIES BOARD
CHAPTER 1. PROCEDURES OF THE OKLAHOMA CONSTRUCTION INDUSTRIES BOARD

SUBCHAPTER 1. DESCRIPTION OF ORGANIZATION

158:1-1-1. Purpose

(a) These rules implement the Administrative Procedures Act, 75 O.S. § 250, *et seq.*, ~~as amended~~ ("APA") and the Construction Industries Board Act, 59 O.S. § 1000.1, *et seq.*, specifically 59 O.S. § 1000.4. These rules govern formal proceedings of the Construction Industries Board and may be supplemented by procedural rules within a particular division or unit area. Informal proceedings may be held as announced by the Construction Industries Board or as agreed with any person or entity.

(b) These rules are adopted to simplify procedure, avoid delays, reduce expenses, and facilitate the administration of the Construction Industries Board Act of Oklahoma and all other regulatory laws and rules administered by the Construction Industries Board. To that end, the provisions of these rules shall be given a fair and impartial construction.

158:1-1-2. Definitions

Unless the context otherwise requires, singular words shall be deemed to include the plural, and masculine words to include the feminine, and vice versa. The following words or terms, when used in this Chapter, shall have the following meaning unless the context clearly indicates otherwise:

"**Act**" means the Construction Industries Board Act as found at 59 O.S. § 1000.1, *et seq.*

"**Administrator**" means the Administrator of the Board as described in the Act.

"**Administrative Law Judge**" means a person appointed by the Construction Industries Board to conduct an individual hearing under the Administrative Procedures Act and may be an employee or a private attorney with whom the Construction Industries Board has a contract for services, who may also be referred to as a hearing examiner or a hearing officer. All ALJs shall be licensed to practice law in the State of Oklahoma, be in good standing with the Oklahoma Bar Association, and governed by the Code of Judicial Conduct, 5 O.S., Appendix 4.

"**Board**" means the Oklahoma Construction Industries Board, 59 O.S. § 1000.4.

"**Employees**" means the administrative staff of the Board referenced in 59 O.S. 2011 § 1000.4(B)(5) ~~who were previously codified as unclassified employees in Senate Bill 354, effective July 1, 2001.~~

"**Petition**" means a pleading initiating an individual proceeding under the Administrative Procedures Act and may be in the form of an individual petition or a citation.

"**Respondent**" means the person(s) or legal entity(ies) named in a petition for an individual proceeding, against whom relief is sought.

SUBCHAPTER 3. GENERAL OPERATION AND PROCEDURES

158:1-3-8. Fee for dishonored checks

The Construction Industries Board may charge and collect a fee of ~~\$25.00 in an amount pursuant to the provisions of Section 1121 of Title 47 of the Oklahoma Statutes.~~ from any licensee, registrant or other obligor of a fee, fine, or other payment for each return by a bank or other depository institution of a dishonored check, negotiable order of withdrawal or share draft issued by the licensee, registrant or other obligor.

158:1-3-9. Fees for plan review and project review for code conformance

(a) **Plan review fee.** For formal review of project plans pursuant to 59 O.S. §§ 1002.1, 1681.1 and 1850.3a, the Construction Industries Board shall charge a fee of ~~\$ 75.00 per hour per review, one hour minimum, not to exceed \$200~~ for any single review.

(b) **Project review inspection fee.** For inspection services related to a project review for code conformance pursuant to 59 O.S. § 1000.5(A)(2), the Construction Industries Board shall charge a fee of \$ 75.00 per hour, per inspection, one hour minimum, not to exceed \$200 for any single inspection.

(c) **Limitations on inspection fees.** The fee required in subsection (b) herein only applies in localities where the Construction Industries Board is the authority having jurisdiction for code enforcement purposes and the inspection services are performed at the request of a contractor or property owner. The Construction Industries Board shall not charge a fee for inspections related to licensing or licensee investigations.

(d) **Each code inspection requires separate fee.** A separate fee shall be charged pursuant to subsection (b) herein based on the trade (plumbing, electrical or mechanical) work inspected for code conformance by the Construction Industries Board.

(e) **Subsequent code inspection requires separate fee.** A separate fee shall be charged pursuant to subsection (b) herein for each subsequent inspection of work for conformance to a code, including scheduled progress inspections performed at different intervals during the stages of construction.

(f) **Notice requirement for work in incorporated areas without municipal inspector.** No individual, business, company, corporation, limited liability company, association, or other entity subject to the provisions of The Plumbing License Law of 1955, the Electrical License Act, or the Mechanical Licensing Act, shall install, modify or alter plumbing, electrical facilities, or mechanical systems in any incorporated area of this State which has not adopted a State recognized code and which has not appointed an inspector for the respective trade without providing notice of such plumbing, electrical or mechanical work to the Board. The notification must be submitted on a notice form provided by the Board.

(g) **Procedures to request inspection.** All requested inspections require advance notification, and in no event shall such notification be given less than two (2) business days before the work is to be inspected. To request an inspection, contact the trade supervisor in the trade for which the inspection is requested. Once an inspection request has been received an inspector will contact the requestor within one (1) business day to schedule a time for the inspection. Failure to provide sufficient notice may result in the inability to provide the requested inspection within the time frame requested. If upon inspection the work is determined not to be in conformance with the applicable code as adopted by the Oklahoma Uniform Building Code Commission, the inspector may issue a notice of violation pursuant to this Chapter. Any inspection conducted by the Construction Industries Board only determines if the electrical, mechanical, or plumbing

work was completed according to the recently adopted code and the Board, does not warranty or guarantee any work.

SUBCHAPTER 5. PROCEDURE IN INDIVIDUAL PROCEEDINGS

158:1-5-2. Notice of hearing

(a) The Administrator, his or her designee, or the Administrative Law Judge shall schedule the date, time and place of the hearing. The hearing clerk shall notify both parties. The hearing shall be scheduled at least fifteen (15) calendar days after the date of service of the petition. Both parties may agree to an earlier date. If a specific law requires a hearing in fewer days, that statute shall be followed. If an emergency exists, a hearing may be conducted without the filing of a petition and without the fifteen (15) day notice.

(b) For matters pursuant to the Oklahoma Inspectors Act, notice of an individual hearing will be served upon an individual licensee or for political subdivisions the mayor, city manager, or city attorney for Respondent jurisdiction according to the Procedures of the Construction Industries Board's administrative rules in Title 158, Ch 1.

158:1-5-3. Service of petition and notice of hearing

(a) **Service.** The Petition and notice of hearing shall be served on the Respondent by personal service or by mail or other lawful means.

(b) **Personal service.** Personal service of the petition and the notice of hearing upon an individual shall be made by delivering the Petition personally on the Respondent or by leaving a copy of the Petition at the individual's dwelling place or the usual place of abode with some person residing therein who is fifteen (15) years of age or older.

(c) **Board as petitioner.** Where the Board is the petitioner, personal service of the petition and notice of hearing may be made by a person designated by the Administrator to make such service for the Board.

(d) **Service by mail.** Service of the petition and the notice of hearing may be made by certified mail, return receipt requested, restricted delivery.

(e) **Proof of service.** The person serving the petition and the notice of hearing shall file proof of service with the hearing clerk within twenty (20) calendar days of service or before the date of the hearing whichever is sooner. Acknowledgement in writing by the Respondent or appearing at the hearing without objection to service is equivalent to service.

(f) **Substitute service.** Substitute service in a matter against a licensee may be completed after personal and mail service are attempted with the filing of an affirmation of the attempted service and that the petition and notice of hearing were mailed first class mail to the last known address of the licensee.

(g) **Service of Proposed Order and Notice of Appeal.** A person shall file an entry of appearance and agreement to allow use of regular mail for proposed orders. Issuance of proposed orders and the notice of appeal may then be sent by regular mail. If an entry of appearance or agreement is not filed, then the proposed order and notice of appeal will be sent using a certificate of mailing indicating the date of mailing and the name and address of the addressee.

(h) **Oklahoma Inspector's Act.** For matters pursuant to the Oklahoma Inspectors Act, notice of an individual hearing will be served upon an individual licensee or for political subdivisions the

mayor, city manager, or city attorney for the Respondent jurisdiction according to the Procedures of the Construction Industries Board's administrative rules in Title 158, Ch 1.

158:1-5-13. Reconsideration

Any party may petition for rehearing, reopening or reconsideration of any decision in an individual proceeding within ten (10) calendar days of its entry, pursuant to 75 O.S. § 317. Nothing shall prevent reconsideration of a matter in accordance with other statutory provisions.

158:1-5-17. Notice of violation and compliance orders

(a) The Board, through its investigator, may issue a written notice of violation to any person or entity who is in violation of any standard or rule adopted by the Board. The notice of violation shall be served in accordance with OAC 158:1-5-3.

(b) Fifteen (15) calendar days following the service of the notice of violation, the Board, through the administrator, may issue a written order requiring compliance with such standards or rules immediately or within a specified period of time. The fifteen-day notice period may be reduced to render the order reasonably effectual. Such order shall state with specificity the nature of the violation. Additionally, such order may assess a fine for each day of noncompliance with the order. All orders shall be served in accordance with OAC 158:1-5-3.

(c) Any person or entity issued an order must request a hearing no later than fifteen (15) calendar days after the order is served. If a hearing is not requested, the order shall become final. If a hearing is requested, a hearing shall be held before the appropriate hearing board of the Construction Industries Board.

SUBCHAPTER 9. ACTIONS TO IMPROVE WORKFORCE DEVELOPMENT AND SKILLED TRADE EDUCATION

158:1-9-1. Skilled Trade Education and Workforce Development Fund

The available funds, based upon statutory limitations, of the Skilled Trade Education and Workforce Development Fund, 59 O.S. § 1000.4a, shall be used only for the advancement of the trade-related education and workforce development. The Skilled Trade Education and Workforce Development Fund was created for the following purposes:

- A. To develop instructional materials on Oklahoma laws, statutes and rules, as they relate to the plumbing, mechanical, electrical and roofing trades and state licensing standards;
- B. To cover the cost of equipment, materials, personnel and any other costs of developing and implementing the trade curriculum; and
- C. To cover the cost of equipment, materials, personnel and any other costs of developing and implementing the workforce development program used to promote the plumbing, mechanical, electrical and roofing trades as a career in Oklahoma.

158:1-9-2. Additional powers and duties of the Board-workforce development and education

The Construction Industries Board shall have the additional powers to:

- A. Receive and convey information relating to the skilled trades regulated by the Construction Industries Board including, but not limited to, workforce development; and
- B. Enter into contracts with the Oklahoma Department of Career and Technology Education, any Oklahoma State Board of Career and Technology Education ~~for any~~

fully accredited vocational or technical school, or any accredited system of education institution in ~~the State of Oklahoma~~ this state receiving state appropriations and offering programs in secondary ~~and~~ or postsecondary instruction that provide electrical, mechanical, plumbing or roofing trade coursework for any of the following purposes, or combination thereof:

1. developing and implementing instructional courses on Oklahoma Statutes and rules that govern the electrical, mechanical, plumbing and roofing trades, which courses can be in conjunction with instruction in performing trade work or instruction on statewide-adopted trade codes, or both, for the advancement of the electrical, mechanical, plumbing and roofing trades, or
2. developing and implementing a workforce development program that will create interest in the pursuit of a skilled trade career. The workforce development program may consist of, but is not limited to, use of the internet, community and school presentations, ~~and~~ research and instruction on the electrical, mechanical, plumbing and roofing trades, and may be implemented through public awareness and public information campaigns to promote skilled trades and skilled trade careers as provided in the act.

158:1-9-3. Contracts with Oklahoma Department of Career and Technology Education

(a) All contracts ~~with the Oklahoma Department of Career and Technology Education~~ pursuant to this section shall be approved by the Construction Industries Board in accordance with the Oklahoma Open Meeting Act. Cost of the contracts ~~with the Oklahoma Department of Career and Technology Education~~ for education and workforce development programs shall be paid from the Skilled Trade Education and Workforce Development Fund.

(b) All contracts ~~with the Oklahoma Department of Career and Technology Education~~ entered into and approved pursuant to this section shall include the following:

1. The time period for the contract.
2. The amount of available funds of the previous fiscal year determined by statutory limitations transferred to the Skilled Trade Education and Workforce Development Fund for expenditure according to the terms of the contract.
3. A description of the services to be provided under the terms of the contract pursuant to this subchapter that may include, but not be limited to:
 - A. Career awareness programs that will create interest in the pursuit of a skilled trade career in the electrical, mechanical, plumbing and roofing trades;
 - B. Education in regulatory and trade requirements, performing trade work, and the related state adopted building codes governing the electrical, mechanical, plumbing and roofing trades, and assisting with existing classes, courses and programs; or,
 - C. Assistance with developing and implementing lesson plans, curriculum and information for school teachers, counselors and others assisting with career awareness in the related trades.
4. A requirement ~~for the Oklahoma Department of Career and Technology Education~~ to provide a written report to the Board at the end of the contract terms describing how the funds of the contract were used, what was the return to the Construction Industries Board, and the benefits of the use of the funds to the State of Oklahoma, the development and education of the Oklahoma skilled workforce in the related trades, and the health, safety and welfare of the public.