



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 70. HOME INSPECTION INDUSTRY REGULATIONS

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 858-627. The purpose of proposed amendments to 158:70-1-1 is to add statutory authority to assist with legislative rule requirements and legislative analysis and review during session; the purpose of proposed amendments to 158:70-1-2 also adds statutory authority to assist with legislative rule requirements and legislative analysis and updates language to allow for digital transformation in licensing database system; the purpose of proposed amendments to 158:70-5-2 are for SB1732 requiring a fee increase effective 7-1-2028. 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 fee increases do not meet the statutory dollar amount threshold over the first five years to make it a major rule.

For the purpose of making calculations as accurate as reasonably possible using current licensing data, FY26 licensing numbers are provided below followed by the methodology used to obtain a practical forecast of economic impact and why the agency does not believe this will be a major rule.

Here is a breakdown of the fee changes and the number of licensees (FY26) that could be affected:

Title 158, CH 70 Breakdown of FY29 Fee Changes			
License Type	Number of Licensees or Registrants in FY26	Current Fee	Fee after change from SB1732
Home Inspector License - Initial	480	\$250.00	\$400.00
Home Inspector License - Renewal		\$150.00	\$240.00
Home Inspector Licensure for Reciprocity		\$50.00	\$80.00

The methodology focuses on direct, measurable impact, primarily concerning fee increases and not negligible, secondary impacts on administrative costs (no new functions, just different amount of current function), the state economy, and local government. The

analysis was conducted under the assumption that the costs (increased license/registration fees) are ongoing direct costs and does not induce market wide behavioral changes that would significantly affect the larger economy. Averages are being used in calculations below based on FY26 licensing numbers to project costs.

Calculation of the fee increase using stated methodology is:

480 Home Inspector Licenses x \$90.00 fee increase (avg) = \$43,200.00

Total annually per FY: \$43,200.00 x 5 years = \$216,000.00

3. **DESCRIPTION OF THE CLASSES OF PERSONS AFFECTED:** The agency, members of industry and the public who are involved in or wish to be involved in the home inspector, electrical, mechanical, plumbing industry/trade licensed and regulated by the Construction Industries Board ("CIB"), continuing education providers, and citizens of Oklahoma.
4. **CLASSES OF PERSONS BENEFITTED:** The agency, members of industry and the public who are involved in or wish to be involved in the home inspector industry/trade licensed and regulated by the Construction Industries Board ("CIB"), continuing education providers, and citizens of Oklahoma.
5. **ECONOMIC IMPACT UPON AFFECTED CLASSES OF PERSONS:** From an economic perspective there has been no increase to fees since 2009, and higher licensing fees act as an increase in the cost of doing business. Inspectors could absorb the added expense, pass some or all of it on to customers through higher prices, or reduce costs elsewhere to comply with the new fees.

The potential economic impact includes increase in license fees as calculated above. However, it is difficult to accurately estimate any additional potential economic impact on the affected class of persons because some license holders may not be responsible for paying a license fee because the fee is covered by their employer or passed on to the consumer.

Besides whatever verbal or email communications were provided to legislators and the Governor's office by industry members during the 2026 legislative session, industry also provided four letters of support for SB1732 (copied to the agency) acknowledging: additional fee costs are never preferred, however there has not been a fee increase in almost 20 years, the board has demonstrated a strong commitment to fiscal responsibility and stewardship of license holder funds, inflationary pressures over time have increased costs and reduced purchasing power, SB1732 represents a practical step toward maintaining a stable and well-regulated environment for home inspectors across the state, the increases in SB1732 are a reasonable adjustment, fair, necessary and in the best long-term interest of licensed trade members and the construction industry across Oklahoma so that the Construction Industries Board has the resources necessary to maintain professional licensing standards, enforce compliance, and protect public safety.

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 increased fee obligations 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 licensing fees act as an increase in the cost of doing business. Businesses have benefited from no fee increase for over 17 years. Home Inspectors could absorb the added expense, pass some or all of it on to customers through higher prices, or reduce costs elsewhere to comply with the new fees. While employers might cover the cost of an employee's license, not all do.

The potential economic impact includes the increase in Home Inspector license fees. However, it is difficult to accurately estimate any additional potential economic impact from SB 1732 on small businesses because some employers could be paying their employees license fees, but not all do.

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 Home Inspector licensing regulations remain current, consistent, and fully aligned with statutory authority. Clear administrative rules support effective licensing, enforcement, examination, continuing education and licensee accountability, thereby helping ensure that home inspector 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 home inspectors 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, local jurisdictions and the public. Any alternative to adopting the rules would leave portions of the rules inconsistent with current statutes.

11. **DATE IMPACT STATEMENT PREPARED:** August 31, 2026

TITLE 158. CONSTRUCTION INDUSTRIES BOARD

CHAPTER 70. HOME INSPECTION INDUSTRY REGULATIONS

SUBCHAPTER 1. GENERAL PROVISIONS

158:70-1-1. Purpose

The rules in this Chapter implement the Home Inspection Licensing Act, 59 O.S. § 858-621, *et seq.*, per 59 O.S. § 1000.1, *et seq.*, specifically 59 O.S. §§ 858-627 and 1000.4.

158:70-1-2. Definitions

The following words or terms, when used in this Chapter, shall have the following meaning, unless the context clearly indicates otherwise:

"Act" means the Home Inspection Licensing Act, found at 59 O.S. § 858-621, *et seq.*

"Alarm systems" means warning devices, installed or free-standing, including but not limited to: carbon monoxide detectors, flue gas and other spillage detectors, security equipment, ejector pumps and smoke alarms.

"Applicant" means any person applying for an examination for a license or registration, or for continuing education approval, under the Act.

"Architectural service" means any practice involving the art and science of building design for construction of any structure or grouping of structures and the use of space within and surrounding the structures or the design for construction, including but not specifically limited to, schematic design, design development, preparation of construction contract documents, and administration of the construction contract.

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

"Certificates of course completion" means a document acceptable to the Committee which signifies satisfactory completion of course work and reflects the hours of credit earned.

"Cheating" means any unapproved deviation from any official instruction given before, during or after a home inspector license examination for the purpose of affecting or influencing the examination results or otherwise providing an undue advantage to any examinee.

"Classroom hour", **"credit hour"**, and **"clock hour"** means at least fifty (50) minutes of classroom instruction with a ten (10) minute break.

"Client" means a person with a direct material interest in the outcome of a home inspection who hires and compensates a home inspector for the performance of a home inspection.

"Committee" means the Committee of Home Inspector Examiners established by the Home Inspection Licensing Act, 59 O.S. § 858-624.

"Component" means a part of a system.

"Continuing education" and **"CE"** means education that is approved by the Committee to satisfy education requirements in order to renew licensure as a home inspector.

"Continuing education verification form" means a form acceptable to the Committee and completed by the course provider, that documents compliance with the continuing education requirements.

"Cosmetic" means a condition that affects appearance but not the manner in which the system or component functions.

"Decorative" means ornamental; not required for the operation of the essential systems and components of a home.

"Defect" means a condition, malfunction or problem, which is not decorative or cosmetic, that would have a materially adverse effect on the value of a system or component, or would impair the health or safety of the occupants or client.

"Describe" means to report a system or component by its type or other observed, significant characteristics to distinguish it from other systems or components.

"Dismantle" means to take apart or remove any component, device or piece of equipment that would not be taken apart or removed by a homeowner in the course of normal and routine homeowner maintenance.

"Engineering service" means any professional service or creative work requiring engineering education, training, and experience and the application of special knowledge of the mathematical, physical and engineering sciences to such professional service or creative work as consultation, investigation, evaluation, planning, design and supervision of construction for the purpose of assuring compliance with the specifications and design, in conjunction with structures, buildings, machines, equipment, works or processes.

"Further evaluation" means examination and analysis by a qualified professional, tradesman or service technician beyond that provided by the home inspection.

"Home" or **"residence"** means any dwelling, from one to four (1-4) units in design, intended principally for residential purposes by one (1) or more individuals.

"Home inspection" or **"inspection"** means a visual examination of any or all of the readily accessible physical real property and improvements to real property consisting of four or fewer dwelling units, including structural, lot drainage, roof, electrical, plumbing, heating and air conditioning and such other areas of concern as are specified in writing to determine if performance is as intended. [59 O.S. § 858-622(3)]

"Home inspection license unit" means the staff and administrative support unit to the Committee of Home Inspector Examiners.

"Home inspection report" means a written opinion of the functional and physical condition of property written by the licensed home inspector pursuant to home inspection.

"Home Inspection Training" means prelicense education that is approved by the Committee to satisfy the education requirements to qualify an applicant to take a home inspector examination for licensure as a home inspector.

"Home inspector" means an individual licensed pursuant to the Home Inspection Licensing Act who, for compensation, conducts home inspections.

"Inspect" means to examine readily accessible systems and components of a building in accordance with these Standards of Practice, using normal operating controls and opening readily openable access panels.

"Installed" means attached such that removal requires tools.

"Instructor" means a person who presents course materials approved for qualifying education and continuing education credit hours that has the experience, training, and/or education in the course subject matter and has been approved by the Committee.

"Normal working order" means the system or component functions without defect for the primary purpose and manner for which it was designed.

"Normal operating controls" means devices such as thermostats, switches or valves intended to be operated by the homeowner.

"Practice of Architecture" means that practice defined in 59 O.S. § 46.3(2) and exempt from the Home Inspection Licensing Act under 59 O.S. § 858-623(B).

"Professional craftsman" means a person who can demonstrate by certification, education or experience, specialized skill in the construction or repair of homes, duplexes, apartment buildings or similar structures. Persons demonstrating specialized skill by experience alone must be able to show that they have been actively engaged in their profession, trade or craft for at least one (1) year prior to the performance of a single item inspection.

"Provider" means a person, corporation, professional association or its local affiliates, or any other entity, which is approved by the Committee and provides approved home inspection training or continuing education to home inspectors.

"Readily accessible" means available for visual inspection without requiring moving of personal property, dismantling, destructive measures, or any action which will likely involve risk to persons or property.

"Readily openable access panel" means a panel provided for homeowner inspection and maintenance that is within normal reach, can be removed by one person, and is not sealed in place.

"Reciprocity agreement" means an agreement whereby a home inspector who is licensed in other states with substantially similar or greater licensure requirements may be licensed in this State after payment of a fee for licensing by reciprocity.

"Recreational facilities" means spas, saunas, steam baths, swimming pools, exercise, entertainment, athletic, playground or other similar equipment and associated accessories.

"Report" means to communicate in writing.

"Roof drainage systems" means components used to carry water off a roof and away from a building.

"Shut down" means a state in which a system or component cannot be operated by normal operating controls.

"Solid fuel burning appliances" means a hearth and fire chamber or similar prepared place in which a fire may be built and which is built in conjunction with a chimney; or a listed assembly of a fire chamber, its chimney and related factory-made parts designed for unit assembly without requiring field construction.

"Structural component" means a component that supports non-variable forces or weights (dead loads) and variable forces or weights (live loads).

"System" means a combination of interacting or interdependent components, assembled to carry out one or more functions.

"Technically exhaustive" means an investigation that involves dismantling, the extensive use of advanced techniques, measurements, instruments, testing, calculations, or other means.

"Under-floor crawl space" means the area within the confines of the foundation and between the ground and the underside of the floor.

"Unsafe" means a condition in a readily accessible, installed system or component which is judged to be a significant risk of personal injury during normal operation. The risk may be due to damage, deterioration, improper installation or a change in accepted residential construction standards.

"Wiring methods" means identification of electrical conductors or wires by their general type, such as "non-metallic sheathed cable" ("Romex"), "armored cable" ("bx") or "knob and tube", etc.

SUBCHAPTER 3. PROCEDURES OF THE COMMITTEE

158:70-3-1. Procedures of the Committee.

- (a) Committee meetings are generally, and unless otherwise stated by the Committee, held at the offices of the Construction Industries Board at 2401 N.W. 23rd Street, Suite 2F, Oklahoma City, Oklahoma 73107. The Committee shall meet as often as is necessary, but at least once each quarter. Meetings of the Committee will comply with the Oklahoma Open Meetings Act.
- (b) The Committee shall provide oversight to the overall licensure examination process; shall set minimum standards for certifying qualified applicants; may write examinations; may recommend regulations to the Administrator and to the Board; and, shall act as advisor to the Administrator on home inspection licensing and standards enforcement matters.
- (c) Application for a home inspection license shall be accomplished by filling out an application for examination ~~on a form provided by the Committee~~ Construction Industries Board.
- (d) The public may communicate with the Committee, in person or by mail, through the Board. The Board will make available all forms and instructions used by the Committee, rules, and all other written statements of policy or interpretations, all final orders, decisions and opinions. Copies of same may be provided in accordance with OAC 158:1-3-5.

SUBCHAPTER 5. LICENSE REQUIREMENTS, LICENSE FEES, LICENSE PERIOD, RE-EXAMINATION, DISPLAY AND INSURANCE

158:70-5-2. License fees, license period, re-examination, display, and insurance requirements

- (a) **Initial license fees.** The following fees apply to home inspection industry licensure:
 - (1) Approval fees for schools, instructors and home inspection organizations - \$100.00. If the same home inspection organization conference has multiple instructors, the fee will not exceed \$100.00.
 - (2) Approval fees for educational course content - \$50.00. If the same home inspection organization conference has multiple courses, the fee will not exceed \$100.00.
 - (3) Application for license - \$30.00
 - (4) Licensure for reciprocity - ~~\$50.00~~ see 59 O.S. § 858-625
 - (5) Examination fee - \$200.00
 - (6) License fee - ~~\$250.00~~ see 59 O.S. § 858-625
 - (7) License renewal - ~~\$150.00~~ see 59 O.S. § 858-625
 - (8) License reactivation - \$50.00
- (b) **License period.**
 - (1) A license shall expire twelve (12) months after issuance, and may be renewed without penalty for thirty (30) days following expiration.
 - (2) A license which has been expired for more than one (1) year shall not be renewed. An individual may obtain a valid license by successful completion of the appropriate examination and other licensure requirements.
- (c) **Re-examination.** Any applicant who fails an examination must wait thirty (30) days before retaking the home inspection examination.

(d) **License display.** The state issued license number shall be placed on all letterhead stationery, business cards, bids, estimates and printed advertisements, and shall be included in viewable electronic media advertisements. Decals and yard signs shall display the state issued license number.

(e) **Personal license display.** All persons subject to these rules shall possess the state issued card any time the person is working. The card shall be shown when requested.

(f) **Insurance requirements.** Each licensee must maintain insurance coverage and furnish and maintain in effect a certificate of insurance therefore which indicates that the licensee has a comprehensive general liability policy. Limits of liability are to be no less than \$50,000.00 combined single limit for bodily injury and property damage. The certificate of insurance shall provide for thirty (30) days notice to the Home Inspection License Unit, prior to cancellation or material alteration of the required insurance. The Licensee must add the Construction Industries Board as a certificate holder but not as an additional insured and with no additional cost. This is required in order for the Construction Industries Board to be notified in the event such liability policy is cancelled for any reason or expires for non-payment of premiums. Failure to provide the complete information with current insurance certificate or failure to maintain insurance will result in an inactive home inspector's license being temporarily issued until such time as the requirements are met.

(g) **One time low-income fee waiver.** See OAC 158:1-3-13(c) regarding eligibility on a one-time, one-year fee waiver.