

## REINS Report: TITLE 748. OKLAHOMA UNIFORM BUILDING CODE COMMISSION CHAPTER 20. ADOPTED CODES

### **Summary of proposed rule change**

The Oklahoma Uniform Building Code Commission (OUBCC) has proposed that Oklahoma update its building code from the 2018 international building code standards to those adopted in 2024 by the International Building Codes (IBC), International Existing Building Code (IEBC), International Fire Code (IFC), International Fuel Gas Code (IFGC), International Mechanic Code (IMC), International Plumbing Code (IPC), and International Residential Code (IRC).

Statute (59 O.S. §1000.23) gives the OUBCC the power and duty to review and adopt all building codes for the state. In this set of rules, the agency is following its historical practice of adopting codes from the above-mentioned set of international codes. These codes have been adopted in whole or in part in all 50 states. As the code is the minimum building code for the entire state and applies to both commercial and residential industries, the rule is expansive and covers anything that may be included in the construction of a home or a building.

### **LOFT analysis of agency compliance with Section 303 of Title 75 of the Oklahoma Statutes**

LOFT provides the following analysis in accordance with 62 O.S. § 8016: “LOFT shall inform the chairs of the designated committees if the rule impact statement from the agency is incomplete or contains substantive inaccuracies.”

Determination: LOFT finds the agency’s rule impact statement incomplete.

75 O.S. §303 directs agencies on how to promulgate a new administrative rule. In this case, the agency followed the process correctly: the OUBCC’s Notice of Rulemaking Intent appeared in the Oklahoma Register, the comment period duration was sufficient, a public hearing was held and the OUBCC created all necessary documents to support the fulfillment of the statute.

However, the Commission did not fully create an economic impact to the state, contending that, “The economic impact of the proposed amended permanent rules and proposed new rules in Title 748, Chapter 20 cannot be quantified.” Their justification for this statement is that some of the changes are expected to reduce costs, while others are expected to raise costs. Since construction costs vary wildly depending on things such as type, size and location, it is nearly impossible to decide what an accurate economic impact is. However, most changes are expected to lower construction costs and some rules are re-adopting existing rules that saw no change in wording between 2018-2024. Since there is no way to predict the building activity that will occur in the state over this period, LOFT agrees that it is difficult to quantify. However, the OUBCC did not provide a specific dollar amount or an estimated range for the impact, as required by statute, so LOFT must conclude that this section is incomplete.

### **LOFT analysis of rule impact**

LOFT determines that the proposed rule change constitutes a major rule due to the potential fiscal impact associated with the increased costs resulting from the identified rule changes. The cost increases of certain proposed changes will most certainly meet or exceed the \$1 million threshold over a five-year period, and that negative impact may be localized to certain businesses. However, there are a greater number of rule changes that would – in most cases – likely offset the increased costs.

Of the 100 total rule changes proposed, there are 13 that will have an increasing cost effect on Oklahoma’s economy. Most of the 13 rules are narrowly scoped and apply to a very niche sector of the construction industry to address new and foreseeable safety issues. For example, the OUBCC has elected to adopt a rule that creates the requirements on the storage of electric vehicle batteries. This rule was not in effect in the 2018 IFC since lithium-ion batteries were not a normal risk in households and businesses. With the advances in technology and the proliferation of electric vehicles, this code seeks to enact additional regulation on the storage of those batteries. In Public Comment #4, a spokesperson representing the only company in the state that will be affected by this change stated that the rule change will cost their business nearly \$10 million upon implementation. That impact alone would exceed the threshold of a major rule.

Twenty-five of the rule changes in this packet seek to deregulate broad areas of construction, and therefore derive a net gain to the economic impact. These changes could result from the reduced risk of certain building practices or alternative building materials that didn’t exist in 2018. For example, as explained in Public Comment #1, there has been a global shift to no longer restrict the type of material required to transport refrigerant in buildings. Removing the requirement to build a shaft for refrigerant will result in a cost savings in any building with a mechanical room.

These counterbalancing forces lead LOFT to conclude that the total economic impact of these rule changes, in whole, will result in a net neutral or possibly a net gain in the mid-term. The narrowly targeted increases do not pose a high enough increase in costs to outweigh the net gain from the deregulation of current code.

Other states that have adopted these standards, either in part or whole, have concluded a similar outcome:

- In June of 2024, Texas looked at the adoption of the 2024 IBC codes and determined that the cost to implement the plan was a net neutral impact on development costs.<sup>1</sup>
- A comprehensive study done by the University of Florida found that the change in costs averaged an increase of .45 percent for commercial buildings and .13 percent for residential structures.<sup>2</sup>
- Indiana found there was likely greater savings in implementing the codes as opposed to leaving the codes unchanged.<sup>3</sup>

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<sup>1</sup> Affordability Impact Statement. 2024 International Building Code and Local Amendments. June 25, 2024

<sup>2</sup> Issa, Raymond, R. et al. Evaluation of the Cost Impact of 2024 ICC Prescriptive Code Changes. June 14, 2024.

<sup>3</sup> Evaluation of Costs and Benefits of Significant Changes in the 2025 IBC. Indiana, 2025



LOFT presents a table categorizing the specific sections of the 2024 adopted codes by whether they are expected to increase costs, decrease costs, or keep costs the same (have no impact).

Increase Costs	Decrease Costs	Keep Costs the Same / No Impact
<b>IBC 2024 (Commercial Building)</b>		
<ul style="list-style-type: none"> <li>• Ch. 9 (new rule)</li> <li>• Ch. 10, par. 6</li> <li>• Ch. 11, par. 1-3</li> <li>• Ch. 18, par. 1</li> <li>• Ch. 33, par. 1</li> </ul>	<ul style="list-style-type: none"> <li>• Ch. 3, par. 1-4</li> <li>• Ch. 4, par. 3-5, and 14</li> <li>• Ch. 5, par. 1 and 3</li> <li>• Ch. 10, par. 7-8</li> <li>• Ch. 16</li> <li>• Ch. 29, par. 1 and 3</li> <li>• Ch. 33, par. 2-3 (if options utilized)</li> </ul>	<ul style="list-style-type: none"> <li>• Ch. 2</li> <li>• Ch. 3, par. 5-6</li> <li>• Ch. 4, par. 1-2, 6-13, and 15-25</li> <li>• Ch. 5, par. 2</li> <li>• Ch. 10, par. 1-5</li> <li>• Ch. 15</li> <li>• Ch. 18, par. 2</li> <li>• Ch. 29, par. 2 and 4</li> <li>• Ch. 32</li> <li>• Ch. 35, par. 1-9</li> </ul>
<b>IFC 2024 (Fire Code)</b>		
<ul style="list-style-type: none"> <li>• Ch. 5, par. 1-3 (if utilized)</li> <li>• Ch. 9</li> <li>• Ch. 10, par. 6</li> <li>• Ch. 33, par. 1</li> </ul>	<ul style="list-style-type: none"> <li>• Ch. 6, par. 1-5 (option for savings)</li> <li>• Ch. 10, par. 7-8</li> <li>• Ch. 11, par. 2</li> <li>• Ch. 33, par. 2-3 (if options utilized)</li> <li>• Ch. 61, par. 1-2</li> <li>• Appendix P</li> </ul>	<ul style="list-style-type: none"> <li>• Ch. 2, par. 1-4</li> <li>• Ch. 3, par. 1-4</li> <li>• Ch. 10, par. 1-5</li> <li>• Ch. 11, par. 1</li> <li>• Ch. 23, par. 1-16</li> <li>• Ch. 39, par. 1-16</li> <li>• Ch. 53</li> <li>• Ch. 55</li> <li>• Ch. 57</li> <li>• Ch. 80, par. 1-8</li> </ul>
<b>IRC 2024 (Residential)</b>		
<ul style="list-style-type: none"> <li>• Ch. 1, par. 3*</li> <li>• Ch. 3, par. 13</li> <li>• Ch. 14, par. 3</li> <li>• Ch. 28, par. 1</li> <li>• Appendix BO (if utilized locally)</li> <li>• Appendix BR (if utilized locally)</li> </ul>	<ul style="list-style-type: none"> <li>• Ch. 1, par. 3*</li> <li>• Ch. 2, par. 2</li> <li>• Ch. 3, par. 2-4, 7, and 14</li> <li>• Ch. 4, par. 6</li> <li>• Ch. 8, par. 8</li> <li>• Ch. 11, par. 1, 6, 8-10, 12-13, 15, 17-22, 26-27, 31-33, and 36-40</li> <li>• Ch. 14, par. 2, and 4-5</li> <li>• Ch. 30, par. 2</li> <li>• Ch. 36</li> <li>• Ch. 39</li> <li>• Ch. 41</li> <li>• Appendix BP</li> </ul>	<ul style="list-style-type: none"> <li>• Ch. 2, par. 1 and 3</li> <li>• Ch. 3, par. 1, 5-6, 8-12, and 15-24</li> <li>• Ch. 4, par. 1-5</li> <li>• Ch. 5</li> <li>• Ch. 6, par. 1-6</li> <li>• Ch. 7, par. 1-11</li> <li>• Ch. 8, par. 1-7 and 9</li> <li>• Ch. 9, par. 1-3</li> <li>• Ch. 11, par. 2-5, 7, 11, 14, 16, 23-25, 28-30, and 34-35</li> <li>• Ch. 13, par. 1-2</li> <li>• Ch. 14, par. 1 and 6</li> <li>• Ch. 15</li> <li>• Ch. 16, par. 1-2</li> <li>• Ch. 23</li> <li>• Ch. 24, par. 1-2</li> <li>• Ch. 25, par. 1-2</li> <li>• Ch. 26, par. 1-3</li> </ul>



		<ul style="list-style-type: none"> <li>• Ch. 27, par. 1-2</li> <li>• Ch. 28, par. 2</li> <li>• Ch. 29, par. 1-2</li> <li>• Ch. 30, par. 1</li> <li>• Ch. 44, par. 1-13</li> </ul>
<b>IEBC 2024 (Existing Buildings)</b>		
<ul style="list-style-type: none"> <li>• Ch. 3, par. 3</li> <li>• Ch. 15, par. 1</li> </ul>	<ul style="list-style-type: none"> <li>• Ch. 3, par. 1-2</li> <li>• Ch. 10</li> <li>• Ch. 15, par. 2-3 (if options utilized)</li> </ul>	<ul style="list-style-type: none"> <li>• Ch. 3, par. 4-5</li> <li>• Ch. 16, par. 1-8</li> </ul>
<b>IFGC 2024 (Fuel Gas)</b>		
<ul style="list-style-type: none"> <li>• Ch. 3, par. 6</li> </ul>	<ul style="list-style-type: none"> <li>• Ch. 4, par. 2</li> </ul>	<ul style="list-style-type: none"> <li>• Ch. 2</li> <li>• Ch. 3, par. 1-5 and 7</li> <li>• Ch. 4, par. 1, and 3-8</li> <li>• Ch. 8, par. 1-7</li> </ul>
<b>IMC 2024 (Mechanical)</b>		
<ul style="list-style-type: none"> <li>• Ch. 3, par. 8</li> </ul>	<p><i>(None explicitly listed)</i></p>	<ul style="list-style-type: none"> <li>• Ch. 3, par. 1-7, and 9-10</li> <li>• Ch. 5, par. 1-2</li> <li>• Ch. 6</li> <li>• Ch. 11</li> <li>• Ch. 15</li> </ul>
<b>IPC 2024 (Plumbing)</b>		
<p><i>(None explicitly listed)</i></p>	<ul style="list-style-type: none"> <li>• Ch. 4, par. 1 and 4</li> <li>• Ch. 11</li> </ul>	<ul style="list-style-type: none"> <li>• Ch. 2</li> <li>• Ch. 3, par. 1-10</li> <li>• Ch. 4, par. 2-3</li> <li>• Ch. 6</li> <li>• Ch. 7</li> <li>• Ch. 9, par. 1-2</li> <li>• Ch. 10</li> <li>• Ch. 13</li> <li>• Ch. 15</li> </ul>

*\*Note: The table specifies that the new rules adopted in IRC 2024 Ch. 1, par. (3) may either increase or decrease the costs of construction depending on the circumstance. Appendices BO and BR for the IRC 2024 are non-mandatory at the state level but will increase construction costs if a local jurisdiction chooses to enforce them.*

**Summary of attachments:**

Checklist of Title 303.75 completion

Section Reference	Requirement Description	Completion Status
Section 303(A)(1)	NRI to 'The Oklahoma Register'	Completed Dec 1, 2025
Section 303(A)(2)	Hold comment period	Comment period Dec.1, 2025 -Jan.5, 2026
Section 303 (A)(3)	Hold a hearing, if required.	Public hearing held on Jan. 13, 2026
Section 303 (A)(4)	Effect the various types of business and governmental entities.	yes
Section 303 (A)(5)	Effect on the various types of consumer groups.	yes
Section 303(A)(6)	Notice to the Governor and appropriate cabinet secretary.	yes, electronically submitted
Section 303(A)(6) Continued	Governor or Cabinet express disapproval?	yes, electronically submitted
Section 303(B)	'Notice of Rulemaking Intent (NRI) Requirements for the Oklahoma Register Publication	
Section 303 (B)	NRI in correct format?	NRI - Published Dec.1 2025. Rule Impact Statement completed Nov. 3, 2025
Section 303 (C)	If a hearing was not originally scheduled, did the public request a hearing?	Hearing was held, N/A
Section 303(D)(1)	Issue a rule impact statement	Created Nov. 3, 2025
Section 303(D)(2)	Consult with counties, municipalities, and school boards if revenue or expenditures are affected.	Yes, info appears in the Rule Impact Statement
Section 303(D)(3)	<b>Rule Impact Statement must include the following:</b>	
Section 303(D)(3)(a)	Statement of need	
D3B	Major or nonmajor classification.	Yes
D3C	Description of the rule.	Yes
D3D	Classes of persons the rule will affect/who will bear the costs.	Yes
D3E	Classes of persons the rule will benefit	Yes
D3F	A comprehensive analysis of the rule's economic impact	No, Agency claims it is not possible due to the size and scope of the rule change.
D3G	Methodology and assumptions used to determine the economic impact.	An explanation is given as to why an economic impact cannot be determined
D3H	Economic impact on any political subdivisions	yes
D3I	Economic effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act,	yes

<b>D3J</b>	Cost and impact of the proposed rule on business and economic development in this state, local government units of this state, and individuals.	<b>yes</b>
<b>D3K</b>	Effect of the proposed rule on the public health, safety, and environment.	<b>yes</b>
<b>D3L</b>	Detrimental effect on the public health, safety, and environment if the proposed rule is not implemented	<b>yes</b>
<b>D3M</b>	Date of preparation	<b>11/3/2025</b>
<b>Section 303(D)(4)</b>	Was Rule Impact Statement waived by Governor?	<b>No</b>
	Adoption of rule possible If adopted in substantial compliance with Title 75, Section 303	<b>yes, with caveats</b>