

**PROPOSED AMENDMENTS TO
SENATE BILL 133**

1 On page 1 of the printed bill, line 3, after the first semicolon insert
2 “creating new provisions;” and after “455.095,” insert “455.097.”

3 Delete lines 6 through 22 and insert:

4 **“SECTION 1. As used in ORS 455.095, 455.097 and 455.185,**
5 **‘construction-related’ means consisting of, or involving the approving,**
6 **enabling, expediting or facilitating of, the alteration, construction,**
7 **demolishing, development, improvement, inspection, moving, opera-**
8 **tion, repair or wrecking of, or the addition to or subtraction from,**
9 **public improvements, real property or a structure.**

10 **“SECTION 2. ORS 455.095 is amended to read:**

11 “455.095. (1) The Department of Consumer and Business Services shall
12 develop and implement a system that provides electronic access to building
13 codes information. The department shall make the system accessible for use
14 by municipalities in carrying out the building inspection programs adminis-
15 tered and enforced by the municipalities.

16 **“(2) The department may also make the system available for use**
17 **by other public bodies that provide construction-related services in-**
18 **cluding, but not limited to public bodies described in ORS 455.185 (4).**
19 The [*building codes*] information and services available through the system
20 may include, but need not be limited to:

21 “[*1*] (a) Licensing, permit, inspection and other relevant information;

22 “[*2*] (b) Access to forms;

1 “[3] (c) Electronic submission of permit applications;
2 “[4] (d) Electronic submission of plans for review;
3 “[5] (e) Electronic issuance of minor label or other appropriate permits;
4 “[6] (f) Access to permit and inspection processes; [and]
5 “[7] (g) Scheduling of inspections, tracking of corrections and granting
6 of approvals[.]; and

7 **“(h) The coordination and tracking of construction-related services.**

8 **“(3) The use of the system described in this section by a munici-**
9 **pality or other public body is voluntary. Nonparticipation in the sys-**
10 **tem by a municipality or other public body is not grounds for the**
11 **department to suspend, revoke authorization for or assume the ad-**
12 **ministration of a building inspection program described in ORS 455.148**
13 **or 455.150 or to impose other disciplinary actions or sanctions against**
14 **a municipality or other public body.**

15 **“SECTION 3.** ORS 455.097 is amended to read:

16 “455.097. (1) As used in this section, ‘form and format’:

17 “(a) Means the arrangement, organization, configuration, structure or
18 style of, or method of delivery for, providing required information or pro-
19 viding the substantive equivalent of required information.

20 “(b) Does not mean altering the substance of information or the addition
21 or omission of information.

22 “(2) The purpose of this section and ORS 455.095 is to enable the De-
23 partment of Consumer and Business Services to develop and implement a
24 system that:

25 “(a) Provides electronic access to building codes information;

26 “(b) Is designed to offer a full range of electronic building permits ser-
27 vices;

28 “(c) Allows the streamlining of building inspection services;

29 “(d) Provides a uniform form and format for submitting building codes
30 information electronically; [and]

1 “(e) Is available for use by any municipality administering and enforcing
2 a building inspection program[.]; **and**

3 **“(f) At the discretion of the department:**

4 **“(A) Is available for use by other public bodies that provide**
5 **construction-related services; and**

6 **“(B) Supports access for other purposes that may include, but need**
7 **not be limited to, access for the coordination and tracking of**
8 **construction-related services.**

9 “(3) The department shall adopt rules to govern the form and format of
10 building permit applications, building plans, specifications, [*and*] other
11 building program information **and any other information** exchanged
12 through the electronic building codes information system described in ORS
13 455.095.

14 “(4) The department may waive a contrary form and format requirement
15 imposed by statute or ordinance or by the rules of another agency for the
16 submission of information in physical form to the extent the waiver is nec-
17 essary to facilitate the submission of the information electronically. The de-
18 partment may accept an electronic reproduction of a signature, stamp, seal,
19 certification or notarization as the equivalent of the original or may accept
20 the substitution of identifying information for the signature, stamp, seal,
21 certification or notarization. The department may not waive a requirement
22 imposed by statute or ordinance or by the rules of another agency, other
23 than a form and format requirement.

24 “(5) A person exchanging information through the electronic building
25 codes information system in a form and format acceptable to the department
26 is not subject to any licensing sanction, civil penalty, fine, permit disap-
27 proval or revocation or other sanction for failure to comply with a form or
28 format requirement imposed by statute, ordinance or rule for submission of
29 the information in physical form, including but not limited to any require-
30 ment that the information be in a particular form or of a particular size, be

1 submitted with multiple copies, be physically attached to another document,
2 be an original document or be signed, stamped, sealed, certified or
3 notarized.”.

4 In line 23, delete “2” and insert “4”.

5 On page 2, line 26, delete “3” and insert “5”.

6 On page 4, line 3, delete “4” and insert “6”.

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