

House Bill 3958

Sponsored by Representative MANNIX

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: Says that the state building code applies to projects that convert offices to housing, no matter what any city or county law or rule says. (Flesch Readability Score: 63.0).

Provides that notwithstanding any municipality's ordinance, rule or regulation to the contrary, the state building code applies exclusively and uniformly to any building or structure in which construction, reconstruction, renovation or remodeling occurs for the purpose of converting commercial office space to housing.

Sunsets on January 1, 2031.

A BILL FOR AN ACT

1
2 Relating to the application of the state building code; creating new provisions; and amending ORS
3 455.040.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 455.040 is amended to read:

6 455.040. (1) The state building code [*shall be*] **is** applicable and uniform throughout this state and
7 in all municipalities, and [*no*] **a** municipality [*shall*] **may not** enact or enforce any ordinance, rule
8 or regulation relating to the same matters encompassed by the state building code but which pro-
9 vides different requirements unless authorized by the Director of the Department of Consumer and
10 Business Services. The director's authorization [*shall not be considered*] **is not** an amendment to the
11 state building code under ORS 455.030. The director shall encourage experimentation, innovation
12 and cost effectiveness by municipalities in the adoption of ordinances, rules or regulations which
13 conflict with the state building code.

14 [*(2) Subsection (1) of this section is operative.*]

15 [*(a) With regard to the state structural code, July 1, 1974.*]

16 [*(b) With regard to the state mechanical, heating and ventilating code, on the effective date of such*
17 *code as determined under ORS 183.355.*]

18 [*(c) With regard to each specialty code not named by paragraphs (a) and (b) of this subsection, on*
19 *the effective date, as determined under ORS 183.355, of the first amendments to such code adopted*
20 *pursuant to this chapter.*]

21 **(2) Notwithstanding any ordinance, rule or regulation by means of which a municipality**
22 **has adopted amendments to or variations in the state building code that apply to buildings**
23 **or structures within the municipality, the state building code applies exclusively and uni-**
24 **formly to any building or structure within the municipality in which construction, recon-**
25 **struction, renovation or remodeling occurs for the purpose of converting commercial office**
26 **space to housing.**

27 **SECTION 2.** ORS 455.040, as amended by section 1 of this 2025 Act, is amended to read:

28 455.040. [(1)] The state building code is applicable and uniform throughout this state and in all

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 municipalities, and a municipality may not enact or enforce any ordinance, rule or regulation re-
2 lating to the same matters encompassed by the state building code but which provides different re-
3 quirements unless authorized by the Director of the Department of Consumer and Business Services.
4 The director's authorization is not an amendment to the state building code under ORS 455.030. The
5 director shall encourage experimentation, innovation and cost effectiveness by municipalities in the
6 adoption of ordinances, rules or regulations which conflict with the state building code.

7 *[(2) Notwithstanding any ordinance, rule or regulation by means of which a municipality has*
8 *adopted amendments to or variations in the state building code that apply to buildings or structures*
9 *within the municipality, the state building code applies exclusively and uniformly to any building or*
10 *structure within the municipality in which construction, reconstruction, renovation or remodeling occurs*
11 *for the purpose of converting commercial office space to housing.]*

12 **SECTION 3. The amendments to ORS 455.040 by section 1 of this 2025 Act become oper-**
13 **ative on January 1, 2026.**

14 **SECTION 4. The amendments to ORS 455.040 by section 2 of this 2025 Act become oper-**
15 **ative on January 1, 2031.**