

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 58th Legislature (2022)

4 HOUSE BILL 3647

By: Dills and **Moore** of the
House

5
6 and

7 **Leewright** of the Senate

8
9 AS INTRODUCED

10 An Act relating to tourism and recreation; enacting
11 the Oklahoma Golf Trail Creation Act; creating
12 Oklahoma Golf Trail Commission; creating Oklahoma
13 Golf Trail; providing for membership of Commission;
14 prescribing method of appointment; prescribing terms;
15 imposing requirements for membership on Commission;
16 authorizing removal for cause; providing for filling
17 of vacancies; providing for quorum; providing for
18 effect of lack of quorum; providing for appointment
19 of officers; providing for adoption of administrative
20 rules; prescribing authorized meetings; requiring
21 meetings to comply with Oklahoma Open Meeting Act;
22 making declaration regarding rights, privileges, and
23 functions of Commission; requiring evaluation of golf
24 courses; providing for official listing; providing
immunity from liability; authorizing additional
powers and prescribing additional duties; prescribing
mission of Commission; specifying certain powers;
imposing responsibilities with respect to marketing
options for Oklahoma Golf Trail; prescribing duty
with respect to certain fees; requiring evaluations;
requiring certain collaborations; authorizing receipt
of private donations; providing for codification; and
declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

1 SECTION 1. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 2400 of Title 74, unless there
3 is created a duplication in numbering, reads as follows:

4 This act shall be known and may be cited as the "Oklahoma Golf
5 Trail Creation Act".

6 SECTION 2. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 2401 of Title 74, unless there
8 is created a duplication in numbering, reads as follows:

9 There is hereby created the Oklahoma Golf Trail Commission,
10 hereinafter referred to as the "Commission", and the Oklahoma Golf
11 Trail, hereinafter referred to as the "Golf Trail".

12 SECTION 3. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 2402 of Title 74, unless there
14 is created a duplication in numbering, reads as follows:

15 A. The Commission shall consist of nine (9) members, each of
16 whom shall serve a term of six (6) years.

17 B. Five members shall be appointed by the Lieutenant Governor,
18 two members shall be appointed by the Speaker of the Oklahoma House
19 of Representatives, and two members shall be appointed by the
20 President Pro Tempore of the Oklahoma State Senate.

21 Members selected to the Commission must be knowledgeable about
22 the Oklahoma golf industry including:

- 23 1. Golf course marketing;
24 2. Golf course ownership;

1 3. Golf course management; or

2 4. Tourism and commerce in Oklahoma.

3 C. Commission members may be removed for cause. Whenever a
4 vacancy on the Commission occurs by death, resignation, or
5 otherwise, the appointing authority shall fill the same by
6 appointment, and the appointee shall hold office during the
7 unexpired term. Each member shall hold office until a successor has
8 been appointed.

9 D. Five members of the Commission shall constitute a quorum,
10 and the vote of the majority of members present shall be necessary
11 for any action to be taken by the Commission.

12 E. No vacancy in the membership of the Commission shall impair
13 the rights of a quorum to exercise and perform all the rights and
14 duties of the Commission.

15 F. The Commission shall appoint from the Commission the chair,
16 vice-chair, and secretary.

17 G. The Commission is authorized and directed to adopt rules
18 pursuant to the provisions of the Administrative Procedures Act to
19 execute the powers and duties of the Commission.

20 H. The Commission may meet monthly and shall meet at least
21 quarterly. The Commission may meet at such other times as it deems
22 necessary for effectively performing its duties and
23 responsibilities. Special meetings may be called by the chair or by
24

1 any three members of the Commission. The meetings of the Commission
2 shall be subject to the Open Meeting Act.

3 I. The Commission is hereby declared to be a governmental
4 agency and instrumentality of the State of Oklahoma with authority
5 to exercise the rights, privileges, and functions hereinafter
6 specified in addition to those it now has.

7 J. The Commission shall evaluate and approve a list of not less
8 than fifteen but not more than twenty-five golf courses annually to
9 be listed as the official Oklahoma Golf Trail for tourism and
10 marketing purposes. The list shall be reviewed every year for
11 renewal of approval.

12 K. Members of the Commission shall not be personally liable for
13 damages from actions in furtherance of the Commission.

14 SECTION 4. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 2403 of Title 74, unless there
16 is created a duplication in numbering, reads as follows:

17 A. There are hereby granted to and imposed on the Commission,
18 and in any commission or body which may hereafter succeed to the
19 powers, rights, and duties of the Commission, the additional powers,
20 rights, and duties hereinafter more specifically provided.

21 B. The mission of the Commission is to increase rounds of golf
22 played at the Oklahoma Golf Trail Member Courses to stimulate
23 economic development, enhance tourism, attract new residents and
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1 retirees to the state, and to elevate the quality of life and
2 experience in Oklahoma.

3 C. The Commission is hereby authorized to:

4 1. Sue and be sued;

5 2. Adopt, use, and alter an official seal;

6 3. Make bylaws for the management and regulation of its
7 affairs;

8 4. Appoint, prescribe the duties, and fix the compensation for
9 officers, agents, and employees;

10 5. Make contracts and execute instruments as in the judgment of
11 the Commission are necessary or convenient to the exercise of the
12 powers conferred upon it by law;

13 6. Sell advertising; provided, that such advertising shall be
14 approved by the Commission prior to acceptance for publication; and

15 7. Promulgate rules and policies necessary and convenient to
16 the exercise of the powers conferred upon it by law.

17 D. The Commission shall be responsible for the following:

18 1. Evaluating and selecting marketing options for the Oklahoma
19 Golf Trail;

20 2. Set membership fees for Trail courses;

21 3. Evaluate courses based on condition, location, course fees,
22 and any other variable relevant for Trail course selection; and
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24

1 4. Develop interagency, intra-agency and public-private
2 collaborations to help advance the awareness and mission of the
3 Oklahoma Golf Trail.

4 SECTION 5. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 2404 of Title 74, unless there
6 is created a duplication in numbering, reads as follows:

7 The Commission shall be able to accept private donations to fund
8 operations until permanent appropriations can be allocated.

9 SECTION 6. It being immediately necessary for the preservation
10 of the public peace, health or safety, an emergency is hereby
11 declared to exist, by reason whereof this act shall take effect and
12 be in full force from and after its passage and approval.

13
14 COMMITTEE REPORT BY: COMMITTEE ON TOURISM, dated 02/17/2022 - DO
15 PASS, As Coauthored.