

1 **SENATE FLOOR VERSION**

2 February 18, 2021

3 **AS AMENDED**

4 SENATE BILL NO. 119

5 By: Allen of the Senate

6 and

7 Russ of the House

8 An Act relating to state capitol and capitol  
9 buildings; requiring proper permits for use;  
10 establishing criteria of permits; providing certain  
11 exception; stating requirements for use of certain  
12 property; providing for noncompliance; authorizing  
13 Capital Assets Management to require liability  
14 insurance; allowing for on-site inspection; providing  
15 for denial of permits under certain circumstances;  
16 prohibiting discrimination; providing for  
17 codification; and providing an effective date.

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

19 SECTION 1. NEW LAW A new section of law to be codified  
20 in the Oklahoma Statutes as Section 93 of Title 73, unless there is  
21 created a duplication in numbering, reads as follows:

22 A. For the use of the State Capitol and Capitol Grounds,  
23 persons, organizations, or groups shall submit an application for a  
24 permit together with a check for any applicable fees to the Office  
of Management and Enterprises Services (OMES) at least ten (10)  
working days prior to the beginning date of the proposed  
demonstration or event. Applicants shall submit their application

1 during business hours, excluding state holidays. Permits for  
2 casual, intermittent personal use, as defined by Capital Assets  
3 Management (CAM), require no advance notice. CAM shall receive  
4 permits for demonstrations or use of the State Capitol Park forty-  
5 eight (48) hours prior to the commencement of the demonstration.  
6 For special events, which are open or advertised to the public, CAM  
7 shall receive permits fourteen (14) calendar days prior to the  
8 requested date(s) of use.

9 B. Those approved for the use of the State Capitol and Capitol  
10 Grounds shall:

11 1. Comply with State Capitol Park rules and applicable State  
12 and Federal laws including, but not limited to:

- 13 a. hand carrying all signs,
- 14 b. refraining from dispensing or consuming of  
15 intoxicating beverage or low-point beer on state  
16 property,
- 17 c. refraining from placing, setting up or erecting of  
18 tents, sleeping bags, bed rolls or bedding of any kind  
19 for the purpose of camping or remaining overnight,
- 20 d. ensuring that the use of audio devices and musical  
21 instruments is at a decibel level which does not  
22 disturb other persons, and
- 23 e. refraining from digging, which includes driving stakes  
24 into the ground;

1           2. Restore the permitted site to pre-use conditions within  
2 twenty-four (24) hours beginning at the conclusion of the event.  
3 The Permit holder is responsible for all costs associated with  
4 unrestored or damaged property; and

5           3. Agree to indemnify and hold harmless the OMES, CAM and staff  
6 from any and all claims, actions, lawsuits, liability, damage,  
7 injury, penalty, fine, loss, sustained directly or indirectly, by  
8 any person, authority or entity for injuries or damages of any kind  
9 or character, whether through negligence, tort fraud, accident,  
10 intentional, or otherwise based upon the use or occupation of the  
11 facilities herein described or by reason of any acts or omissions of  
12 the permittee, its officers, agents, employees, guests, patrons,  
13 invitees or any other party whomsoever.

14           Failure to comply with these requirements may result in the  
15 termination of the use permit and discontinuance of the event or  
16 activity;

17           **C. CAM may require liability insurance for any event open to**  
18 **the public. CAM shall define limits based upon risk, spectator**  
19 **attendance and past loss histories from similar events. A reputable**  
20 **and solvent insurance or surety company duly licensed to do business**  
21 **in this state shall provide the policy. CAM shall receive such**  
22 **policy five (5) days prior to the commencement of the event.**

1 D. Representatives of the CAM or State Capitol Patrol officers  
2 reserve the right to enter and inspect the premises used by  
3 permittee at any reasonable time.

4 E. CAM reserves the right to deny use permits for events due to  
5 potential health and safety risks or at any other certain time when  
6 overcrowding of the park is anticipated.

7 F. No discrimination shall be made against any person because  
8 of race, creed, sex, age, color, disability, religion, place of  
9 residency or national origin pursuant to any activity relating to  
10 this permit.

11 SECTION 2. This act shall become effective November 1, 2021.

12 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT  
13 February 18, 2021 - DO PASS AS AMENDED

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