

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 SENATE BILL 119

By: Allen

4
5
6 AS INTRODUCED

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

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

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

21 A. For the use of the State Capitol and Capitol Grounds,
22 persons, organizations, or groups shall submit an application for a
23 permit together with a check for any applicable fees to the Office
24 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
during business hours, excluding state holidays. Permits for

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

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

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

- 12 a. hand carrying all signs,
- 13 b. refraining from dispensing or consuming of
14 intoxicating beverage or low-point beer on state
15 property,
- 16 c. refraining from placing, setting up or erecting of
17 tents, sleeping bags, bed rolls or bedding of any kind
18 for the purpose of camping or remaining overnight,
- 19 d. ensuring that the use of audio devices and musical
20 instruments is at a decibel level which does not
21 disturb other persons, and
- 22 e. refraining from digging, which includes driving stakes
23 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 the State of Oklahoma shall provide the policy. Such policy
22 shall name the permittee and the OMES, CAM and State Capitol Park as
23 insured or additional insured to an existing policy. CAM shall
24

1 receive such policy five (5) days prior to the commencement of the
2 event.

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

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

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

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

14
15 58-1-1 MR 12/9/2020 2:55:14 PM
16
17
18
19
20
21
22
23
24
25