

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

HOUSE BILL 3647

By: Dills

AS INTRODUCED

An Act relating to tourism and recreation; enacting the Oklahoma Golf Trail Creation Act; creating Oklahoma Golf Trail Commission; creating Oklahoma Golf Trail; providing for membership of Commission; prescribing method of appointment; prescribing terms; imposing requirements for membership on Commission; authorizing removal for cause; providing for filling of vacancies; providing for quorum; providing for effect of lack of quorum; providing for appointment of officers; providing for adoption of administrative rules; prescribing authorized meetings; requiring meetings to comply with Oklahoma Open Meeting Act; making declaration regarding rights, privileges, and functions of Commission; requiring evaluation of golf 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  
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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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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.

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14        58-2-8432        KN        01/18/22

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