

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 1586

6 By: Grego

7 COMMITTEE SUBSTITUTE

8 An Act relating to state government; providing
9 enforcement for occupying a reserved space or failing
10 to pay entrance fees; setting administrative
11 penalties; providing that monies collected shall be
12 deposited in a revolving fund; amending 74 O.S. 2021,
13 Section 2220, which relates to the Oklahoma Tourism,
14 Parks and Recreation Enhancement Act; modifying
15 language; establishing annual state park parking
16 passes; setting annual park parking pass fees for
17 residents and nonresidents; authorizing annual multi-
18 park parking passes; providing for codification;
19 providing effective dates; and declaring an
20 emergency.

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

22 SECTION 1. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 2217.2 of Title 74, unless there
24 is created a duplication in numbering, reads as follows:

25 A. No person shall:

26 1. Physically occupy a campsite identified as "Reserved" by the
27 Oklahoma Tourism and Recreation Department staff or by the park
28 reservation system, or fail to vacate a campsite within a reasonable

1 time after being notified of the campsite's reserved status by
2 Department staff; or

3 2. Enter an area of a state park that is identified as an area
4 requiring payment of an entry fee without having first paid the
5 entry fee or being a valid park entry passholder for the date of
6 entry.

7 B. Any violation of the provisions of this section may be
8 punishable by an administrative fine not exceeding:

9 1. Fifty Dollars (\$50.00) for a first offense;

10 2. One Hundred Dollars (\$100.00) for a second offense; and

11 3. Two Hundred Fifty Dollars (\$250.00) for any third or
12 subsequent offense.

13 C. All monies collected pursuant to this section shall be
14 deposited in the Oklahoma Tourism and Recreation Department
15 Revolving Fund.

16 SECTION 2. AMENDATORY 74 O.S. 2021, Section 2220, is
17 amended to read as follows:

18 Section 2220. A. The Oklahoma Tourism and Recreation
19 Commission may prescribe and collect reasonable rates and fees
20 pursuant to the provisions of this section for the services,
21 facilities and commodities rendered by all property of the
22 Commission.

23 1. The Commission may establish maximum rates for rooms at the
24 state lodges and cabins, for recreational activities, for

1 recreational vehicles and camping sites, and for community
2 facilities under control of the Commission. The method whereby the
3 rates are determined shall be promulgated pursuant to Article I of
4 the Administrative Procedures Act. At least twenty (20) days prior
5 to the adoption or approval of any rate changes by the Commission,
6 the Department shall submit a copy of the proposed rates, for
7 informational purposes, to the Governor, Speaker of the Oklahoma
8 House of Representatives and President Pro Tempore of the Oklahoma
9 State Senate. Any change in the rates during the year when the
10 Legislature is not in session shall be reported in writing to the
11 Governor, Speaker of the Oklahoma House of Representatives and
12 President Pro Tempore of the Oklahoma State Senate within five (5)
13 business days of such Commission action.

14 2. The Commission may establish maximum charges for all
15 activities at state-owned golf courses. The charges may vary among
16 the different golf courses according to the practices of the golf
17 industry. The method whereby the maximum charges are determined
18 shall be in accordance with rules promulgated pursuant to Article I
19 of the Administrative Procedures Act. At least twenty (20) days
20 prior to the adoption or approval of any rate changes by the
21 Commission, the Department shall submit a copy of such proposed
22 charges, for informational purposes, to the Governor, Speaker of the
23 Oklahoma House of Representatives and President Pro Tempore of the
24 Oklahoma State Senate.

1 3. The Commission may establish entrance or day-use charges for
2 the state park system. All monies collected from entrance or day-
3 use charges shall be used at the state parks where the charges were
4 collected. The Commission may establish ~~an annual pass, or other~~
5 ~~varied~~ various parking passes as appropriate to that park, for
6 visitors. The method whereby the maximum charges are determined,
7 sold, and collected shall be in accordance with rules promulgated
8 pursuant to Article I of the Administrative Procedures Act. At
9 least twenty (20) days prior to the adoption or approval of any rate
10 changes by the Commission, the Department shall submit a copy of
11 such proposed charges, for informational purposes, to the Governor,
12 Speaker of the Oklahoma House of Representatives and President Pro
13 Tempore of the Oklahoma State Senate.

14 4. ~~Fees~~ Except as provided in this section, fees shall be
15 promulgated pursuant to Article I of the Administrative Procedures
16 Act.

17 5. ~~Fees~~ Except as provided in this section, fees may reflect
18 the seasonal usage of the parks and facilities and for promotional
19 purposes and goals.

20 6. The Commission shall establish an annual single park parking
21 pass for residents of this state in an amount not to exceed Twenty
22 Dollars (\$20.00); provided, however, residents of this state sixty-
23 two (62) years of age and over shall be exempt as provided in
24 subsection B of this section. A nonresident annual single park

1 parking pass shall be established in an amount not less than
2 Seventy-five Dollars (\$75.00) and there shall be no exemption for
3 nonresidents sixty-two (62) years of age and over. The Commission
4 may establish annual multi-park parking passes in such amounts for
5 residents of this state and nonresidents as determined by the
6 Commission.

7 B. All fees, licenses and other charges shall be posted in a
8 convenient place in each park. Every person using any of the
9 facilities in a park shall be charged the same fees, licenses and
10 every other charge except:

11 1. Residents of this state sixty-two (62) years of age and over
12 and their spouses shall not be charged any admission fees for
13 entrance into any state-owned and ~~operated~~ state-operated park. The
14 Commission may promulgate rules establishing different fees for
15 residents and nonresidents sixty-two (62) years of age and over.
16 ~~Identification may~~ For purposes of fee exemptions, identification
17 shall be established by presentation of proof of age, and residency,
18 by a state driver license, a state license for identification only,
19 birth certificate or any other form of identification authorized by
20 the Commission;

21 2. Individuals who have been certified as totally disabled
22 under state or federal law and their spouses shall be entitled to a
23 fifty percent (50%) reduction of fees which apply to recreational-
24 use facilities;

1 3. Children's groups, volunteer groups as specified by the
2 Commission, or governmental entities that provide beneficial
3 services at the facility ~~for which the fee may be~~ have fees reduced
4 or waived as determined by the Commission; and

5 4. Special discount rates as authorized in this section may be
6 waived for individuals who are members of a group being provided a
7 special group rate as allowed by law.

8 C. The willful failure to collect such fees, licenses and other
9 charges shall subject ~~an~~ the responsible employee of the Commission
10 to ~~a~~ an administrative fine of Twenty-five Dollars (\$25.00) for each
11 ~~and every~~ violation.

12 SECTION 3. Section 1 of this act shall become effective July 1,
13 2023.

14 SECTION 4. Section 2 of this act shall become effective July 1,
15 2024.

16 SECTION 5. It being immediately necessary for the preservation
17 of the public peace, health or safety, an emergency is hereby
18 declared to exist, by reason whereof this act shall take effect and
19 be in full force from and after its passage and approval.

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21 59-1-7474 JL 02/15/23

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