

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 SENATE BILL NO. 7

By: Stephens of the Senate

and

McCall of the House

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9 COMMITTEE SUBSTITUTE

10 An Act relating to municipal lands; amending 11 O.S.
11 2021, Section 33-204, which relates to municipal
12 powers regarding lakes; granting municipalities
13 certain authority over lakes and land owned by the
14 municipality; enabling construction of certain
15 structure; authorizing certain use of lakes or land;
16 authorizing lease of lakes or land for certain
17 purposes; allowing for contracting with certain
18 entities for certain purpose; clarifying effect of
19 certain use or lease; updating statutory language;
20 and providing an effective date.

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

22 SECTION 1. AMENDATORY 11 O.S. 2021, Section 33-204, is
23 amended to read as follows:

24 Section 33-204. A. The governing body of any municipality
owning a lake, inside or outside of the corporate limits, or owning
lands, inside or outside of the corporate limits, which adjoin and
abut upon a lake or large body of water capable of being used by a

1 motor-propelled boat may own, construct, maintain, operate, and
2 equip a marina, docks, and boathouses,~~and boats~~ for amusement,
3 parks, and recreational purposes. The governing body may also lease
4 or rent to any person lots or spaces and provide permits for the
5 construction or use of privately owned marinas, boathouses, or docks
6 or other recreational purposes on such property for amusement,
7 parks, and recreational purposes pursuant to such terms as the
8 governing body deems proper. ~~Said~~ The governing body may fix and
9 collect fares, rents, tolls, or other revenues for the use of ~~said~~
10 such facilities, lots and spaces, and the issuance of permits. The
11 right of a municipality to own, construct, maintain, operate and
12 equip ~~said~~ docks, boathouses, and ~~boats~~ marinas, and to rent or
13 lease such facilities, spaces, and lots and the issuance of permits
14 for the construction or use of such privately owned marinas, docks,
15 or boathouses for amusement, parks, and recreational purposes is
16 hereby declared to be a public right and use. Rent and lease of
17 such facilities, lots, and spaces shall be at fair market value.
18 Except in cases of rentals and leases authorized herein, ~~said~~ such
19 right and facilities shall constitute a public benefit. The
20 municipal governing body may do all things necessary and proper in
21 its discretion pursuant to the authority granted to it by the
22 Constitution and laws of this state to further the ability of the
23 municipality to provide for the amusement, parks, and recreational
24 services authorized by the provisions of this section.

1 B. Lakes and lands which adjoin and abut upon a lake owned or
2 leased by a municipality or by a public trust of which a
3 municipality is a beneficiary, which are dedicated for a public
4 purpose, may also be used or leased, for fair market value, for
5 amusement, parks, or recreation without abandoning or declaring such
6 public property as surplus or unsuitable, provided the governing
7 body of the municipality determines use of such property for
8 amusement, parks, or recreation is a compatible contemporaneous use
9 that is subordinate to the primary public purpose for which the lake
10 or land was purchased or leased.

11 C. A municipality or public trust may contract with any person,
12 entity, or any county, state, or federal agency to manage and
13 operate lakes and lands which adjoin and abut upon a lake dedicated
14 for a public purpose or for amusement, parks, or recreation
15 contemporaneous with a public purpose as described in this section.

16 D. Lakes or lands which adjoin and abut upon a lake that are
17 leased or used as provided for in this section shall not be deemed
18 to have been declared surplus, abandoned, or unsuitable by such
19 lease or use.

20 SECTION 2. This act shall become effective November 1, 2024.

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22 59-2-10912 LRB 04/09/24

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