

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   1st Session of the 59th Legislature (2023)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 1586

By: Grego

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8                                   COMMITTEE SUBSTITUTE

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

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

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

A. No person shall:

1. Physically occupy a campsite identified as "Reserved" by the  
Oklahoma Tourism and Recreation Department staff or by the park

1 reservation system, or fail to vacate a campsite within a reasonable  
2 time after being notified of the campsite's reserved status by  
3 Department staff; or

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

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

- 10 1. Fifty Dollars (\$50.00) for a first offense;  
11 2. One Hundred Dollars (\$100.00) for a second offense; and  
12 3. Two Hundred Fifty Dollars (\$250.00) for any third or  
13 subsequent offense.

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

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

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

24

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

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

1 Oklahoma House of Representatives and President Pro Tempore of the  
2 Oklahoma State Senate.

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

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

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

22 6. The Commission shall establish an annual single park parking  
23 pass for residents of this state in an amount not to exceed Twenty  
24 Dollars (\$20.00); provided, however, residents of this state sixty-

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

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

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

23 2. Individuals who have been certified as totally disabled  
24 under state or federal law and their spouses shall be entitled to a

1 fifty percent (50%) reduction of fees which apply to recreational-  
2 use facilities;

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

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

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

14 SECTION 3. Section 1 of this act shall become effective July 1,  
15 2023.

16 SECTION 4. Section 2 of this act shall become effective July 1,  
17 2024.

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

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23 COMMITTEE REPORT BY: COMMITTEE ON TOURISM, dated 02/15/2023 - DO  
24 PASS, As Amended.