

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. 2057

By: Hardin of the House

and

**Bergstrom** of the Senate

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10                                   COMMITTEE SUBSTITUTE

11                   An Act relating to Grand River Dam Authority;  
12                   amending 82 O.S. 2021, Section 896.16, which relates  
13                   to user fees, licenses and fines; updating statutory  
14                   reference; authorizing the Grand River Dam Authority  
15                   to promulgate certain rules; and declaring an  
16                   emergency.

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

18                   SECTION 1.           AMENDATORY           82 O.S. 2021, Section 896.16, is  
19                   amended to read as follows:

20                   A.   1.   Until replaced or changed as provided for in subsection  
21                   C of this section, the Grand River Dam Authority is authorized and  
22                   directed to charge an annual use fee of Thirty-five Dollars (\$35.00)  
23                   per commercially owned and operated flotation device on the Illinois  
24                   River within Adair, Cherokee and Delaware Counties.

1           2. The operation of a commercial flotation device without  
2 displaying a proper license issued by the Authority shall result in  
3 a fine not to exceed One Hundred Dollars (\$100.00). The fine shall  
4 be assessed upon the owner or operator of the commercial flotation  
5 device business and not upon the individual renting the commercial  
6 flotation device.

7           3. Commercial flotation devices shall not be operated on Flint  
8 Creek in Delaware County and those portions of Barren Creek in  
9 Cherokee County.

10           B. For the Flint Creek and Illinois River within Adair,  
11 Cherokee and Delaware Counties and those portions of Barren Fork  
12 Creek within Cherokee County, the Authority is authorized and  
13 directed to charge until replaced or changed as provided for in  
14 subsection C of this section:

15           1. An annual use fee of Ten Dollars (\$10.00) per noncommercial,  
16 privately owned device; or

17           2. A use fee of One Dollar (\$1.00) per day for all  
18 noncommercial, privately owned flotation devices floating upon a  
19 designated scenic river. Landowners located immediately adjacent to  
20 a designated scenic river shall not be required to pay any fee for  
21 private use as authorized in this section or otherwise by law.

22           C. Under the provisions of ~~Section 5 of this act~~ Section 896.2  
23 of this title granting the Authority the power to establish licenses  
24 and set fees, the Authority may promulgate rules for the collection

1 and administration of the fees imposed pursuant to the provisions of  
2 this section or may promulgate rules establishing licenses,  
3 providing for the issuance, renewal, revocation, denial and  
4 suspension of licenses, and setting fees that change or replace the  
5 licenses and fees imposed pursuant to the provisions of this  
6 section. Upon final adoption of rules changing or replacing any or  
7 all of the licenses and fees imposed pursuant to the provisions of  
8 this section, the Authority shall cease to impose, collect or charge  
9 the license and fee that was changed or replaced by rule. Rules  
10 promulgated by the Authority pursuant to this section shall be in  
11 accordance with the Administrative Procedures Act.

12 D. Until replaced or changed as provided for in subsection C of  
13 this section, the Grand River Dam Authority may charge a fee for use  
14 of camping sites located in public use and access areas controlled  
15 by the Authority in an amount that does not exceed the rate charged  
16 by the Oklahoma Tourism and Recreation Department for camping sites.

17 E. For the purposes of the Scenic Rivers Act, "commercial  
18 flotation device" means a canoe, boat, kayak, inner tube, raft or  
19 other similar device suitable for the transportation of a person or  
20 persons on waterways which is available for hire by the public for  
21 use on scenic rivers.

22 SECTION 2. It being immediately necessary for the preservation  
23 of the public peace, health or safety, an emergency is hereby  
24

1 declared to exist, by reason whereof this act shall take effect and  
2 be in full force from and after its passage and approval.

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4 COMMITTEE REPORT BY: COMMITTEE ON TOURISM, dated 02/15/2023 - DO  
5 PASS, As Amended and Coauthored.

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