

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

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

4 ENGROSSED SENATE

5 BILL NO. 11x

By: Thompson (Roger) and Hall
of the Senate

6 and

7 Wallace and Martinez of the
8 House

9
10 An Act relating to the Oklahoma Tourism and
11 Recreation Department; amending 74 O.S. 2021,
12 Sections 2203, 2204, and 2206, which relate to the
13 Oklahoma Tourism and Recreation Commission; removing
14 function of Commission as an advisory body; providing
15 provision for removal of Commission members;
16 transferring powers from the Executive Director to
17 the Commission; modifying powers and duties of
18 Commission; authorizing Commission to appoint
19 Executive Director; allowing Commission to establish
20 salary for the Executive Director; and providing an
21 effective date.

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

23 SECTION 1. AMENDATORY 74 O.S. 2021, Section 2203, is
24 amended to read as follows:

Section 2203. A. The Oklahoma Tourism and Recreation
Commission shall ~~be an advisory body to the Executive Director of~~
~~the Oklahoma Tourism and Recreation Department and shall consist of~~
eight (8) members who shall serve a term of six (6) years.

1 ~~Effective January 14, 2019, all duties and powers of the Commission~~
2 ~~shall be transferred to the Executive Director. Any provision in~~
3 ~~statute that provides to the Commission authority that is not~~
4 ~~advisory in nature shall be deemed to grant the duty or power to the~~
5 ~~Executive Director.~~ No more than one Commission member shall be
6 from any one county. The Lieutenant Governor shall serve as an ex
7 officio voting member of the Commission.

8 B. One member shall be appointed from each congressional
9 district, who shall be a resident and a qualified elector in the
10 district from which appointed, and the remaining members shall be
11 appointed from the state at large. If congressional districts are
12 redrawn each member appointed shall complete the current term of
13 office at which time a new appointment shall be made in compliance
14 with the redrawn congressional district.

15 C. Commission members shall be appointed by the Governor, with
16 the advice and consent of the Senate, and ~~shall serve at the~~
17 ~~pleasure of the~~ may be removed with cause by the Governor. Whenever
18 a vacancy on the Commission occurs by death, resignation, or
19 otherwise, the Governor shall fill the same by appointment, with the
20 advice and consent of the Senate, and the appointee shall hold
21 office during the unexpired term. Each member shall hold office
22 until a successor has been appointed and qualified.

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1 D. With the exception of the ex officio, no member of the
2 Commission shall seek election to a federal, state, or county office
3 while serving on the Commission.

4 SECTION 2. AMENDATORY 74 O.S. 2021, Section 2204, is
5 amended to read as follows:

6 Section 2204. There are hereby granted to and imposed in the
7 ~~Oklahoma Tourism and Recreation Department~~ Commission, and in any
8 commission or body which may hereafter succeed to the powers,
9 rights, and duties of the Commission, the following additional
10 powers, rights and duties:

11 1. Sue and be sued;

12 2. Adopt, use, and alter an official seal;

13 3. Make bylaws for the management and regulation of its
14 affairs;

15 4. Appoint, prescribe the duties, and fix the compensation for
16 officers, agents, and employees;

17 5. Make contracts and execute instruments as in the judgment of
18 the ~~Department~~ Commission are necessary or convenient to the
19 exercise of the powers conferred upon it by law; and

20 6. Promulgate rules and policies necessary and convenient to
21 the exercise of the powers conferred upon it by law.

22 SECTION 3. AMENDATORY 74 O.S. 2021, Section 2206, is
23 amended to read as follows:

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1 Section 2206. The chief executive officer of the Oklahoma
2 Tourism and Recreation Department shall be the Executive Director,
3 who shall be appointed by the Governor, ~~with the advice and consent~~
4 ~~of the Senate,~~ Commission and who shall serve at the pleasure of the
5 ~~Governor and may be removed or replaced without cause~~ Commission.
6 The Executive Director shall be chosen with regard to knowledge,
7 training, experience, and ability to administer the functions of the
8 Department. ~~Compensation for the~~ The Commission shall establish the
9 salary of the Executive Director shall be determined pursuant to
10 ~~Section 3601.2 of this title.~~

11 SECTION 4. This act shall become effective November 1, 2023.

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13 COMMITTEE REPORT BY: COMMITTEE ON JOINT COMMITTEE ON APPROPRIATIONS
14 AND BUDGET, dated 05/23/2023 - DO PASS, As Amended.
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