

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 1586

By: Grego

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5
6 AS INTRODUCED

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

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

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

23 A. No person shall:

24 1. Physically occupy a campsite identified as "Reserved" by the
Oklahoma Tourism and Recreation Department staff or by the park
reservation system, or fail to vacate a campsite within a reasonable
time after being notified of the campsite's reserved status by
Department staff; or

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

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

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

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

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

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

- 21 1. The Commission may establish maximum rates for rooms at the
22 state lodges and cabins, for recreational activities, for
23 recreational vehicles and camping sites, and for community
24 facilities under control of the Commission. The method whereby the

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

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

21 3. The Commission may establish entrance or day-use charges for
22 the state park system. All monies collected from entrance or day-
23 use charges shall be used at the state parks where the charges were
24 collected. The Commission may establish ~~an annual pass, or other~~

1 ~~varied~~ various passes as appropriate to that park, for visitors.
2 The method whereby the maximum charges are determined, sold, and
3 collected shall be in accordance with rules promulgated pursuant to
4 Article I of the Administrative Procedures Act. At least twenty
5 (20) days prior to the adoption or approval of any rate changes by
6 the Commission, the Department shall submit a copy of such proposed
7 charges, for informational purposes, to the Governor, Speaker of the
8 House of Representatives and President Pro Tempore of the Senate.

9 4. Fees Except as provided in this section, fees shall be
10 promulgated pursuant to Article I of the Administrative Procedures
11 Act.

12 5. Fees Except as provided in this section, fees may reflect
13 the seasonal usage of the parks and facilities and for promotional
14 purposes and goals.

15 6. The Commission shall establish an annual single park pass
16 for residents of this state in an amount not to exceed Twenty
17 Dollars (\$20.00); provided, however, residents of this state sixty-
18 two (62) years of age and over shall be exempt as provided in
19 subsection B of this section. A nonresident annual single park pass
20 shall be established in an amount not less than Seventy-five Dollars
21 (\$75.00) and there shall be no exemption for nonresidents sixty-two
22 (62) years of age and over. The Commission may establish annual
23 multi-park passes in such amounts for residents of this state and
24 nonresidents as determined by the Commission.

1 B. All fees, licenses and other charges shall be posted in a
2 convenient place in each park. Every person using any of the
3 facilities in a park shall be charged the same fees, licenses and
4 every other charge except:

5 1. Residents of this state sixty-two (62) years of age and over
6 and their spouses shall not be charged any admission fees for
7 entrance into any state-owned and ~~operated~~ state-operated park.

8 The Commission may promulgate rules establishing different fees for
9 residents and nonresidents sixty-two (62) years of age and over.

10 ~~Identification may~~ For purposes of fee exemptions, identification
11 shall be established by presentation of proof of age, and residency,
12 by a state driver license, a state license for identification only,
13 birth certificate or any other form of identification authorized by
14 the Commission;

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

19 3. Children's groups, volunteer groups as specified by the
20 Commission, or governmental entities that provide beneficial
21 services at the facility ~~for which the fee may be~~ have fees reduced
22 or waived as determined by the Commission; and
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1 4. Special discount rates as authorized in this section may be
2 waived for individuals who are members of a group being provided a
3 special group rate as allowed by law.

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

8 SECTION 3. Section 1 of this act shall become effective July 1,
9 2023.

10 SECTION 4. Section 2 of this act shall become effective July 1,
11 2024.

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

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