

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 SENATE BILL NO. 804

By: Leewright of the Senate

and

Newton of the House

6  
7  
8  
9 COMMITTEE SUBSTITUTE

10 An Act relating to state parks; prohibiting occupying  
11 a reserved campsite; prohibiting entering a state  
12 park where an entry fee is required; setting  
13 administrative fine; providing for collection and  
14 deposit of certain fines; amending 74 O.S. 2011,  
15 Section 2220, as amended by Section 1, Chapter 243,  
16 O.S.L. 2017 (74 O.S. Supp. 2020, Section 2220), which  
17 relates to the Oklahoma Tourism, Parks and Recreation  
18 Enhancement Act; establishing an annual state park  
19 pass; providing for codification; and declaring an  
20 emergency.

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

22 SECTION 1. NEW LAW A new section of law to be codified  
23 in the Oklahoma Statutes as Section 2217A of Title 74, unless there  
24 is created a duplication in numbering, reads as follows:

A. No person shall:

1. Physically occupy a campsite identified as "Reserved" by  
Department staff or by the park reservation system, or fail to

1 vacate a campsite within a reasonable time after being notified of  
2 the campsite's reserved status by Department staff; or

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

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

9 1. Fifty Dollars (\$50.00) for a first offense;

10 2. One Hundred Dollars (\$100.00) for a second offense; and

11 3. Two Hundred Fifty Dollars (\$250.00) for any third or  
12 subsequent offense.

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

16 SECTION 2. AMENDATORY 74 O.S. 2011, Section 2220, as  
17 amended by Section 1, Chapter 243, O.S.L. 2017 (74 O.S. Supp. 2020,  
18 Section 2220), is 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 House of  
10 Representatives and President Pro Tempore of the Senate. Any change  
11 in the rates during the year when the Legislature is not in session  
12 shall be reported in writing to the Governor, Speaker of the House  
13 of Representatives and President Pro Tempore of the Senate within  
14 five (5) business days of such Commission action.

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

1           3. The Commission may establish entrance or day-use charges for  
2 the state park system. All monies collected from entrance or day-  
3 use charges shall be used at the state parks where the charges were  
4 collected. The Commission shall establish an annual pass for  
5 Oklahoma residents costing Twenty Dollars (\$20.00) which shall  
6 provide access to a single park for a calendar year. The annual fee  
7 for nonresidents shall be Seventy-five Dollars (\$75.00) to all state  
8 parks within the state. The Commission may establish ~~an annual~~  
9 ~~pass, or~~ additional other varied passes as appropriate to that park,  
10 for visitors. The method whereby the maximum charges are  
11 determined, sold, and collected shall be in accordance with rules  
12 promulgated pursuant to Article I of the Administrative Procedures  
13 Act. At least twenty (20) days prior to the adoption or approval of  
14 any rate changes by the Commission, the Department shall submit a  
15 copy of such proposed charges, for informational purposes, to the  
16 Governor, Speaker of the House of Representatives and President Pro  
17 Tempore of the Senate.

18           4. Fees shall be promulgated pursuant to Article I of the  
19 Administrative Procedures Act.

20           5. Fees may reflect the seasonal usage of the parks and  
21 facilities and for promotional purposes and goals.

22           B. All fees, licenses and other charges shall be posted in a  
23 convenient place in each park. Every person using any of the  
24

1 facilities in a park shall be charged the same fees, licenses and  
2 every other charge except:

3 1. Residents of this state sixty-two (62) years of age and over  
4 and their spouses shall not be charged any admission fees for  
5 entrance into any state-owned and -operated park. The Commission  
6 may promulgate rules establishing different fees for residents and  
7 nonresidents sixty-two (62) years of age and over. Identification  
8 may be established by presentation of proof of age, residency, a  
9 state driver license, a state license for identification only, birth  
10 certificate or any other form of identification authorized by the  
11 Commission;

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

16 3. Children's groups, volunteer groups as specified by the  
17 Commission, or governmental entities that provide beneficial  
18 services at the facility for which the fee may be reduced or waived;  
19 and

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

23  
24

1 C. The failure to collect such fees, licenses and other charges  
2 shall subject an employee of the Commission to a fine of Twenty-five  
3 Dollars (\$25.00) for each and every violation.

4 SECTION 3. It being immediately necessary for the preservation  
5 of the public peace, health or safety, an emergency is hereby  
6 declared to exist, by reason whereof this act shall take effect and  
7 be in full force from and after its passage and approval.

8

9 58-1-8085 AMM 04/07/21

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24