

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE  
4 FOR ENGROSSED  
5 BILL 1681

By: Grego, Hardin (David),  
Fugate, Phillips, Townley  
and Olsen of the House

6 and

7 Bullard and Burns of the  
8 Senate

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10  
11 COMMITTEE SUBSTITUTE

12 An Act relating to state government; providing  
13 enforcement for occupying a reserved space or failing  
14 to pay entrance fees; setting administrative  
15 penalties; amending 74 O.S. 2011, Section 2220, as  
16 amended by Section 1, Chapter 243, O.S.L. 2017 (74  
17 O.S. Supp. 2020, Section 2220), which relates to the  
18 Oklahoma Tourism, Parks and Recreation Enhancement  
19 Act; modifying language; establishing annual state  
20 park passes; setting annual park pass fees for  
21 residents and nonresidents; authorizing annual multi-  
22 park passes; providing for codification; and  
23 providing an effective date.

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 2217A of Title 74, unless there  
is created a duplication in numbering, reads as follows:

A. No person shall:

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

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

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

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

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

13 3. Two Hundred and Fifty Dollars (\$250.00) for any third or  
14 subsequent offense.

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

18 SECTION 2. AMENDATORY 74 O.S. 2011, Section 2220, as  
19 amended by Section 1, Chapter 243, O.S.L. 2017 (74 O.S. Supp. 2020,  
20 Section 2220), is amended to read as follows:

21 Section 2220. A. The Oklahoma Tourism and Recreation  
22 Commission may prescribe and collect reasonable rates and fees  
23 pursuant to the provisions of this section for the services,  
24

1 facilities and commodities rendered by all property of the  
2 Commission.

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

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

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

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

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

21 6. The Commission shall establish an annual single park pass  
22 for residents of this state in an amount not more than Twenty  
23 Dollars (\$20.00); provided, however, residents of this state aged  
24 sixty-two (62) years and older shall be exempt as provided in

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

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

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

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

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

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

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

12           SECTION 3. This act shall become effective November 1, 2023.

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