

An Act

ENROLLED HOUSE
BILL NO. 3647

By: Dills, Moore, Phillips,
Boles, and Davis of the
House

and

Leewright and Bergstrom of
the Senate

An Act relating to tourism and recreation; creating the Oklahoma Golf Trail Creation Act; creating Oklahoma Golf Trail Commission; creating Oklahoma Golf Trail; providing for membership of Commission; prescribing method of appointment; prescribing terms; imposing requirements for membership on Commission; authorizing removal for cause; providing for filling of vacancies; providing for quorum; providing for effect of lack of quorum; providing for appointment of officers; providing for adoption of administrative rules; prescribing authorized meetings; requiring meetings to comply with Oklahoma Open Meeting Act; making declaration regarding rights, privileges, and functions of Commission; requiring evaluation of golf courses; providing for official listing; providing immunity from liability; authorizing additional powers and prescribing additional duties; prescribing mission of Commission; specifying certain powers; imposing responsibilities with respect to marketing options for Oklahoma Golf Trail; prescribing duty with respect to certain fees; requiring evaluations; requiring certain collaborations; authorizing receipt of private donations; providing for codification; and declaring an emergency.

SUBJECT: Tourism and recreation

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 2400 of Title 74, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Oklahoma Golf Trail Creation Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2401 of Title 74, unless there is created a duplication in numbering, reads as follows:

There is hereby created the Oklahoma Golf Trail Commission, hereinafter referred to as the "Commission", and the Oklahoma Golf Trail, hereinafter referred to as the "Golf Trail".

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2402 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. The Oklahoma Golf Trail Commission shall consist of nine (9) members, each of whom shall serve a term of six (6) years.

B. Five members shall be appointed by the Lieutenant Governor, two members shall be appointed by the Speaker of the Oklahoma House of Representatives, and two members shall be appointed by the President Pro Tempore of the Oklahoma State Senate.

Members selected to the Commission must be knowledgeable about the Oklahoma golf industry including:

1. Golf course marketing;
2. Golf course ownership;
3. Golf course management; or
4. Tourism and commerce in Oklahoma.

C. Commission members may be removed for cause. Whenever a vacancy on the Commission occurs by death, resignation, or otherwise, the appointing authority shall fill the same by appointment, and the appointee shall hold office during the

unexpired term. Each member shall hold office until a successor has been appointed.

D. Five members of the Commission shall constitute a quorum, and the vote of the majority of members present shall be necessary for any action to be taken by the Commission.

E. No vacancy in the membership of the Commission shall impair the rights of a quorum to exercise and perform all the rights and duties of the Commission.

F. The Commission shall appoint from the Commission members a chair, vice-chair, and secretary.

G. The Commission is authorized and directed to adopt rules pursuant to the provisions of the Administrative Procedures Act to execute the powers and duties of the Commission.

H. The Commission may meet monthly and shall meet at least quarterly. The Commission may meet at such other times as it deems necessary for effectively performing its duties and responsibilities. Special meetings may be called by the chair or by any three members of the Commission. The meetings of the Commission shall be subject to the Oklahoma Open Meeting Act.

I. The Commission is hereby declared to be a governmental agency and instrumentality of the State of Oklahoma with authority to exercise the rights, privileges, and functions hereinafter specified in addition to those it now has.

J. The Commission shall evaluate and approve a list of not less than fifteen but not more than twenty-five golf courses annually to be listed as the official Oklahoma Golf Trail for tourism and marketing purposes. The list shall be reviewed every year for renewal of approval.

K. Members of the Commission shall not be personally liable for damages from actions in furtherance of the Commission.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2403 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. There are hereby granted to and imposed on the Oklahoma Golf Trail Commission, and in any commission or body which may hereafter

succeed to the powers, rights, and duties of the Commission, the additional powers, rights, and duties hereinafter more specifically provided.

B. The mission of the Commission is to increase rounds of golf played at the Oklahoma Golf Trail Member Courses to stimulate economic development, enhance tourism, attract new residents and retirees to the state, and to elevate the quality of life and experience in Oklahoma.

C. The Commission is hereby authorized to:

1. Sue and be sued;
2. Adopt, use, and alter an official seal;
3. Make bylaws for the management and regulation of its affairs;
4. Appoint, prescribe the duties, and fix the compensation for officers, agents, and employees;
5. Make contracts and execute instruments as in the judgment of the Commission are necessary or convenient to the exercise of the powers conferred upon it by law;
6. Sell advertising; provided, that such advertising shall be approved by the Commission prior to acceptance for publication; and
7. Promulgate rules and policies necessary and convenient to the exercise of the powers conferred upon it by law.

D. The Commission shall be responsible for the following:

1. Evaluating and selecting marketing options for the Oklahoma Golf Trail;
2. Setting membership fees for Golf Trail courses;
3. Evaluating courses based on condition, location, course fees, and any other variable relevant for Golf Trail course selection; and

4. Developing interagency, intra-agency, and public-private collaborations to help advance the awareness and mission of the Oklahoma Golf Trail.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2404 of Title 74, unless there is created a duplication in numbering, reads as follows:

The Oklahoma Golf Trail Commission shall be able to accept private donations to fund operations until permanent appropriations can be allocated.

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

Passed the House of Representatives the 11th day of May, 2022.

Presiding Officer of the House
of Representatives

Passed the Senate the 27th day of April, 2022.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____