

ENROLLED SENATE  
BILL NO. 835

By: Long (Ed) of the Senate

and

Taylor of the House

An Act relating to professions and occupations; amending 59 O.S. 1991, Sections 582 and 587, which relate to the Board of Examiners in Optometry; re-creating the Board of Examiners in Optometry; clarifying statutory references; modifying Board membership; providing certain fees be set by Board rule; modifying gender reference; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 59 O.S. 1991, Section 582, is amended to read as follows:

Section 582. There is hereby re-created, to continue until July 1, ~~1994~~ 2000, in accordance with the provisions of the Oklahoma Sunset Law, Section 3901 et seq. of Title 74 of the Oklahoma Statutes, the Board of Examiners in Optometry. This Board shall consist of ~~three (3)~~ five (5) persons ~~who~~, four of whom shall possess sufficient knowledge of theoretical and practical optics to practice optometry, be duly licensed as optometrists, and who shall have been residents of this state actually engaged in the practice of optometry for at least five (5) years. The term of each licensed optometrist member of the Board, one being appointed each year, shall be ~~three (3)~~ five (5) years, or until his a qualified successor is appointed. The lay member of the Board shall serve a term coterminous with that of the Governor and shall serve at the pleasure of the Governor. The Governor is hereby authorized to appoint a member of the Board of Examiners in Optometry at the expiration of any term or whenever, for any reason, a vacancy may occur on said Board. Vacancies shall be filled for the unexpired term only.

SECTION 2. AMENDATORY 59 O.S. 1991, Section 587, is amended to read as follows:

Section 587. The fee for such examinations shall be set by the Board of Examiners in Optometry rule, not to be less than One Hundred Dollars (\$100.00) and not to exceed Two Hundred Dollars (\$200.00), and a yearly license fee ~~of~~ set by the Board of Examiners in Optometry rule, not to be less than Sixty-five Dollars (\$65.00) and not to exceed Sixty-five Dollars (\$65.00) Two Hundred Dollars (\$200.00) shall be paid each fiscal year by all persons holding a license to practice optometry in this state, and shall be paid not later than the 30th day of June of each year. In the event of default of payment of such license fee by any person, his or her certificate shall be revoked by the Board of Examiners who shall take such action only after notifying the person in default by registered mail and allowing him or her fifteen (15) days in which

to comply with this requirement. The Board shall be paid travel expenses as provided in the State Travel Reimbursement Act, Section 500.1 et seq. of Title 74 of the Oklahoma Statutes. The secretary-treasurer shall receive a compensation fixed by the Board, of not to exceed Two Hundred Dollars (\$200.00) per month. All fees and charges collected by the secretary-treasurer of the Board shall be paid on the first day of each month into a revolving fund in the State Treasury to be designated as the "Optometry Board Revolving Fund". This fund shall consist of all monies received by the Board of Optometry other than appropriated funds. The revolving fund shall be a continuing fund not subject to fiscal year limitations and shall be under the control and management of the Board of Optometry. Expenditures from this fund shall be made pursuant to the purposes of Sections 581 through 606 of this title and without legislative approval. Warrants for expenditures shall be drawn by the State Treasurer based on claims signed by an authorized employee or employees of the Board of Optometry and approved for payment by the Director of State Finance. The revolving fund shall be audited at least once each year by the State Auditor and Inspector.

SECTION 3. This act shall become effective July 1, 1994.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and 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 Senate the 28th day of February, 1994.

President of the Senate

Passed the House of Representatives the 19th day of April, 1994.

Speaker of the House of Representatives