

ENGROSSED SENATE AMENDMENT
TO
ENGROSSED HOUSE
BILL NO. 2282

By: Mitchell of the House

and

Wilkerson of the Senate

(public health and safety - amending 63 O.S.,

Section 1-1950.3 - Nursing Home Care Act -

restriction -

emergency)

AUTHOR: Remove Wilkerson as Senate Author and substitute Robinson
as Senate Author

AMENDMENT NO. 1. Page 1, strike the stricken title, enacting
clause and entire bill and insert

"[public health and safety - public bathing places -

codification -

effective date]

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 1-1013.1 of Title 63, unless
there is created a duplication in numbering, reads as follows:

No person, municipality, as defined by paragraph 5 of Section 1-
102 of Title 11 of the Oklahoma Statutes, or entity shall engage in
or continue the operation of a public bathing place, as defined by
Section 1-1013 of Title 63 of the Oklahoma Statutes, until an annual
license has been obtained from the State Commissioner of Health for
each such public bathing place. Each such operator shall pay an
annual fee for such license to be fixed by the State Board of
Health. Unless otherwise provided by rules promulgated by the

Board, each such license shall expire one (1) year following the date of issue. No such license shall be transferable, and application for such license shall be made upon forms prescribed by the Commissioner. Each application for such license shall be accompanied by the applicant's certification that the public bathing place for which the license is sought is in compliance with the provisions of Section 1-1017 of Title 63 of the Oklahoma Statutes, and no license shall be issued or renewed for such public bathing place until after such certification of compliance has been received by the Commissioner. Provided, municipalities of five thousand (5,000) population or less, shall not be charged more than Fifty Dollars (\$50.00) for such fee.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-1013.2 of Title 63, unless there is created a duplication in numbering, reads as follows:

The State Commissioner of Health may suspend or revoke a public bathing place license on any of the following grounds:

1. Violation of any of the provisions of this act or State Board of Health rules promulgated pursuant thereto;
2. Permitting, aiding or abetting the commission of any illegal act in or on the premises of the licensed public bathing place; or
3. Conduct or practices by the owner, management or any employee of the public bathing place deemed by the Commissioner to be detrimental to the health, safety or welfare of any person.

SECTION 3. AMENDATORY 63 O.S. 2001, Section 1-1014, is amended to read as follows:

Section 1-1014. The State Commissioner of Health shall have supervision of the sanitation, healthfulness, safety, and design of public bathing places, and shall enforce all rules ~~and regulations~~ promulgated and adopted by the State Board of Health for carrying out the ~~following~~ provisions of this ~~article~~ act. The Board is hereby authorized to promulgate and adopt reasonable standards and

rules ~~and regulations~~ pertaining to the design, construction, safety, sanitation, and sanitary operation of public bathing places and to establish fees, as it may deem necessary to effectively carry out the ~~following~~ provisions of this ~~article~~ act.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-1020.1 of Title 63, unless there is created a duplication in numbering, reads as follows:

Each public bathing place that has been declared, as a result of an examination or investigation conducted pursuant to the provisions of Section 1-1018 of Title 63 of the Oklahoma Statutes, to be a public nuisance pursuant to the provisions of Section 1-1020 of Title 63 of the Oklahoma Statutes shall be subject to reinspection. For each such reinspection performed, the operator of such public bathing place subject to reinspection shall pay to the State Department of Health a reinspection fee to be fixed by the State Board of Health. The reinspection fee shall be paid prior to a determination by the State Commissioner of Health, an authorized representative or the local health officer that the public bathing place is in compliance with the provisions of this act.

SECTION 5. This act shall become effective November 1, 2004."

and when the title is restored
amend to conform

Passed the Senate the 19th day of April, 2004.

Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____,
2004.

Presiding Officer of the House
of Representatives