

CS for EHB 2282

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**THE STATE SENATE**  
**Tuesday, April 6, 2004**

**Committee Substitute for**  
**ENGROSSED**  
**House Bill No. 2282**

COMMITTEE SUBSTITUTE FOR ENGROSSED HOUSE BILL NO. 2282 - By:  
MITCHELL of the House and ROBINSON of the Senate.

[ 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

1 the Commissioner. Each application for such license shall be  
2 accompanied by the applicant's certification that the public bathing  
3 place for which the license is sought is in compliance with the  
4 provisions of Section 1-1017 of Title 63 of the Oklahoma Statutes,  
5 and no license shall be issued or renewed for such public bathing  
6 place until after such certification of compliance has been received  
7 by the Commissioner.

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

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

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

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

22 Section 1-1014. The State Commissioner of Health shall have  
23 supervision of the sanitation, healthfulness, safety, and design of

1 public bathing places, and shall enforce all rules ~~and regulations~~  
2 promulgated and adopted by the State Board of Health for carrying  
3 out the ~~following~~ provisions of this ~~article~~ act. The Board is  
4 hereby authorized to promulgate and adopt reasonable standards and  
5 rules ~~and regulations~~ pertaining to the design, construction,  
6 safety, sanitation, and sanitary operation of public bathing places  
7 and to establish fees, as it may deem necessary to effectively carry  
8 out the ~~following~~ provisions of this ~~article~~ act.

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

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

1           SECTION 5. This act shall become effective November 1, 2004.  
2   COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 3-31-04 - DO  
3   PASS, As Amended and Coauthored.