

EHB 2318

THE STATE SENATE
Thursday, April 8, 2004

ENGROSSED

House Bill No. 2318

As Amended

ENGROSSED HOUSE BILL NO. 2318 - By: WILSON of the House and SHURDEN and GUMM of the Senate.

[**tourism and recreation - not-for-profit state park foundation - codification - effective date - emergency**]

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 1811.10 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. The Oklahoma Tourism and Recreation Commission is encouraged to explore the potential benefits of not-for-profit foundations for support of state parks. Such support from a not-for-profit foundation shall not substitute for the obligation of the state to support the natural resources infrastructure of the state, but shall serve only as a supplement to state funding and as a means to further assist the Oklahoma Tourism and Recreation Department in preserving the natural resources and facilities of significance in the state.

B. There is hereby authorized the establishment of a not-for-profit state park foundation for the purpose of encouraging

1 contributions by private individuals, companies, foundations,
2 corporations, and others in the private and public sectors.
3 Contributions shall be utilized for the support, preservation, and
4 development of state park properties. This support, preservation,
5 and development shall include, but is not limited to, preservation
6 of historic facilities, development of educational and interpretive
7 programs, materials, and other means of support.

8 C. As used in this section, a "state park foundation" means any
9 company, trust, corporation, or association:

10 1. That solicits money or property in the name of any state
11 park under the jurisdiction of the Oklahoma Tourism and Recreation
12 Commission; and

13 2. Which is exempt from federal income taxes or is verifiably
14 and in good faith in the process of obtaining federal tax exemption
15 status pursuant to the provisions of Section 501(c)(3) of the
16 Internal Revenue Code.

17 D. The Oklahoma Tourism and Recreation Commission may refuse to
18 accept any grant, award, or donation of real or personal property
19 offered by or through a state park foundation.

20 E. No employee of the Oklahoma Tourism and Recreation
21 Department shall be a voting member of a state park foundation
22 board. Members of the Oklahoma Tourism and Recreation Commission
23 may serve on the board of a state park foundation, but shall not

1 constitute a majority of the members of the board of the foundation.
2 No member of the Commission serving on the board or an employee of
3 the Department serving as an ex officio member of the board shall be
4 compensated by the foundation for service as a member of the
5 foundation board.

6 F. A state park foundation created pursuant to this section
7 shall not be an entity of state government. No public funds shall
8 be deposited in any account owned or controlled by a state park
9 foundation.

10 SECTION 2. This act shall become effective July 1, 2004.

11 SECTION 3. It being immediately necessary for the preservation
12 of the public peace, health and safety, an emergency is hereby
13 declared to exist, by reason whereof this act shall take effect and
14 be in full force from and after its passage and approval.

15 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 3-31-04 - DO
16 PASS, As Amended and Coauthored.