

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               2nd Session of the 56th Legislature (2018)

4   HOUSE BILL 2768

By: Osburn (Mike) of the House

5   and

6   Pugh of the Senate

7  
8  
9                               AS INTRODUCED

10           **[ state government - enacting the Oklahoma Commerce**  
11                   **and Tourism Agency Reorganization Act of 2018 -**  
12                   **creating the Oklahoma Department of Commerce and**  
13                   **Tourism - effective date -**  
14   **emergency ]**

15  
16  
17   BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

18           SECTION 1.       NEW LAW       A new section of law not to be  
19   codified in the Oklahoma Statutes reads as follows:

20           This act shall be known and may be cited as the "Oklahoma  
21   Commerce and Tourism Agency Reorganization Act of 2018".

22           SECTION 2.       NEW LAW       A new section of law to be codified  
23   in the Oklahoma Statutes as Section 5001.101 of Title 74, unless  
24   there is created a duplication in numbering, reads as follows:

1       A. There is hereby created the Oklahoma Department of Commerce  
2 and Tourism.

3       B. After the effective date of this act, all references in the  
4 Oklahoma Statutes to either the Oklahoma Department of Commerce or  
5 the Oklahoma Tourism and Recreation Department shall be construed to  
6 mean the Oklahoma Department of Commerce and Tourism.

7       C. The Oklahoma Department of Commerce and Tourism shall be  
8 supervised by an Executive Director. The Executive Director shall  
9 be appointed by and serve at the pleasure of the Governor. The  
10 person appointed by the Governor shall have required expertise in  
11 the private sector, the public sector or both in order to perform  
12 the duties imposed upon the Executive Director and upon the Oklahoma  
13 Department of Commerce and Tourism by law.

14       D. The Governor's appointee to the position of Executive  
15 Director shall be subject to confirmation by the Oklahoma State  
16 Senate.

17       E. The Executive Director shall report to the Lieutenant  
18 Governor at such times and on such subjects as the Lieutenant  
19 Governor may direct.

20       SECTION 3.       NEW LAW       A new section of law to be codified  
21 in the Oklahoma Statutes as Section 5001.102 of Title 74, unless  
22 there is created a duplication in numbering, reads as follows:

23       A. All of the books, records, documents and other materials  
24 which are the separate property of the Oklahoma Department of

1 Commerce and the Oklahoma Tourism and Recreation Department shall  
2 become the property of the Oklahoma Department of Commerce and  
3 Tourism.

4 B. All employees of both the Oklahoma Department of Commerce  
5 and the Oklahoma Tourism and Recreation Department shall become the  
6 employees of the Oklahoma Department of Commerce and Tourism.

7 C. All assets, whether consisting of real or personal property,  
8 tangible or intangible, which are the separate properties of either  
9 the Oklahoma Department of Commerce or the Oklahoma Tourism and  
10 Recreation Department shall be transferred by operation of law to  
11 the Oklahoma Department of Commerce and Tourism.

12 D. Any and all contracts which have not been fully executed as  
13 of the effective date of this act which were the separate  
14 responsibility of either the Oklahoma Department of Commerce or the  
15 Oklahoma Tourism and Recreation Department shall become the  
16 obligations of the Oklahoma Department of Commerce and Tourism.

17 SECTION 4. NEW LAW A new section of law to be codified  
18 in the Oklahoma Statutes as Section 5001.103 of Title 74, unless  
19 there is created a duplication in numbering, reads as follows:

20 A. There is hereby created an Advisory Board for the Oklahoma  
21 Department of Commerce and Tourism.

22 B. The Advisory Board shall be composed of nine (9) members to  
23 be appointed as follows:  
24

1        1. Three members shall be appointed by and serve at the  
2 pleasure of the Governor;

3        2. Three members shall be appointed by and serve at the  
4 pleasure of the Speaker of the Oklahoma House of Representatives;  
5 and

6        3. Three members shall be appointed by and serve at the  
7 pleasure of the President Pro Tempore of the Oklahoma State Senate.

8        C. The Executive Director of the Oklahoma Department of  
9 Commerce and Tourism shall make such reports to the Advisory Board  
10 as required by such Board and shall perform such other duties as the  
11 Board may direct which are not inconsistent with the statutory  
12 duties and responsibilities of the Executive Director.

13        SECTION 5.        REPEALER        74 O.S. 2011, Sections 2201, 2202,  
14 2203, 2204, 2205, 2206 and 2207, are hereby repealed.

15        SECTION 6.        REPEALER        74 O.S. 2011, Section 5003.5, is  
16 hereby repealed.

17        SECTION 7. This act shall become effective July 1, 2018.

18        SECTION 8. It being immediately necessary for the preservation  
19 of the public peace, health or safety, an emergency is hereby  
20 declared to exist, by reason whereof this act shall take effect and  
21 be in full force from and after its passage and approval.

22  
23 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated  
24 03/01/2018 - DO PASS, As Amended and Coauthored.