

STATE OF OKLAHOMA

2nd Session of the 56th Legislature (2018)

HOUSE BILL 2768

By: Osburn (Mike)

AS INTRODUCED

An Act relating to state government; enacting the Oklahoma Commerce and Tourism Agency Reorganization Act of 2018; creating the Oklahoma Department of Commerce and Tourism; providing for statutory references; requiring appointment of Executive Director; prescribing qualifications; requiring confirmation by Oklahoma State Senate; requiring Executive Director to report to Lieutenant Governor; providing for transfer of books, records and other materials; providing for transfer of real and personal property; providing for transfer of employees; providing for effect of consolidation on certain contracts; creating Advisory Board for the Oklahoma Department of Commerce and Tourism; providing for appointments to Advisory Board; prescribing duties of the Advisory Board; repealing 74 O.S. 2011, Sections 2201, 2202, 2203, 2204, 2205, 2206 and 2207, which relate to the Oklahoma Tourism Commission and the Oklahoma Tourism and Recreation Department; repealing 74 O.S. 2011, Section 5003.5, which relates to the Executive Director of the Oklahoma Department of Commerce; providing for codification; providing for noncodification; providing an effective date; and declaring an emergency.

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

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

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

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

6 A. There is hereby created the Oklahoma Department of Commerce
7 and Tourism.

8 B. After the effective date of this act, all references in the
9 Oklahoma Statutes to either the Oklahoma Department of Commerce or
10 the Oklahoma Tourism and Recreation Department shall be construed to
11 mean the Oklahoma Department of Commerce and Tourism.

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

19 D. The Governor's appointee to the position of Executive
20 Director shall be subject to confirmation by the Oklahoma State
21 Senate.

22 E. The Executive Director shall report to the Lieutenant
23 Governor at such times and on such subjects as the Lieutenant
24 Governor may direct.

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

4 A. All of the books, records, documents and other materials
5 which are the separate property of the Oklahoma Department of
6 Commerce and the Oklahoma Tourism and Recreation Department shall
7 become the property of the Oklahoma Department of Commerce and
8 Tourism.

9 B. All employees of both the Oklahoma Department of Commerce
10 and the Oklahoma Tourism and Recreation Department shall become the
11 employees of the Oklahoma Department of Commerce and Tourism.

12 C. All assets, whether consisting of real or personal property,
13 tangible or intangible, which are the separate properties of either
14 the Oklahoma Department of Commerce or the Oklahoma Tourism and
15 Recreation Department shall be transferred by operation of law to
16 the Oklahoma Department of Commerce and Tourism.

17 D. Any and all contracts which have not been fully executed as
18 of the effective date of this act which were the separate
19 responsibility of either the Oklahoma Department of Commerce or the
20 Oklahoma Tourism and Recreation Department shall become the
21 obligations of the Oklahoma Department of Commerce and Tourism.

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

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

3 B. The Advisory Board shall be composed of nine (9) members to
4 be appointed as follows:

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

7 2. Three members shall be appointed by and serve at the
8 pleasure of the Speaker of the Oklahoma House of Representatives;
9 and

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

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

17 SECTION 5. REPEALER 74 O.S. 2011, Sections 2201, 2202,
18 2203, 2204, 2205, 2206 and 2207, are hereby repealed.

19 SECTION 6. REPEALER 74 O.S. 2011, Section 5003.5, is
20 hereby repealed.

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

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

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