

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 HOUSE BILL 2873

By: Perryman

4
5
6 AS INTRODUCED

7 An Act relating to state government; amending 74 O.S.
8 2011, Section 2220, as amended by Section 1, Chapter
9 243, O.S.L. 2017 (74 O.S. Supp. 2019, Section 2220),
10 which relates to state parks; eliminating certain
11 rates and fees enacted during certain time period;
12 extending certain notice requirements; requiring
13 notice be provided to certain House and Senate
14 members; requiring public hearings for certain
15 proposed rates; requiring notice of public hearings;
16 and providing an effective date.

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

18 SECTION 1. AMENDATORY 74 O.S. 2011, Section 2220, as
19 amended by Section 1, Chapter 243, O.S.L. 2017 (74 O.S. Supp. 2019,
20 Section 2220), is amended to read as follows:

21 Section 2220. A. The Commission may prescribe and collect
22 reasonable rates and fees pursuant to the provisions of this section
23 for the services, facilities and commodities rendered by all
24 property of the Commission. Any rate or fee enacted by the
Commission between July 1, 2019, and November 1, 2020, is hereby

1 repealed and shall only be reinstated through the action of the
2 Commission in compliance with this section.

3 1. The Commission may establish maximum rates for rooms at the
4 state lodges and cabins, for recreational activities, for
5 recreational vehicles and camping sites, and for community
6 facilities under control of the Commission. The method whereby the
7 rates are determined shall be promulgated pursuant to Article I of
8 the Administrative Procedures Act. At least ~~twenty (20)~~ ninety (90)
9 days prior to the adoption or approval of any rate changes by the
10 Commission, the Department shall submit a copy of the proposed
11 rates, ~~for informational purposes,~~ to the Governor, Speaker of the
12 House of Representatives ~~and,~~ President Pro Tempore of the Senate
13 and to the State Senator or Senators and State Representative or
14 Representatives who represent the respective Senate and House
15 districts where the services, facilities and commodities are
16 located. No proposed rate shall become effective unless the
17 Commission holds a public hearing to consider the proposed rate at
18 least sixty (60) days prior to the adoption or approval of any rate
19 changes by the Commission. The public hearing shall be held on the
20 campus of the career-technology facility nearest to the location of
21 the affected services, facilities and commodities. Notice of the
22 public hearing describing the date, time and location of the public
23 hearing and stating the proposed rate or rates shall be posted on
24 the Commission's website and published at least once each week for

1 two (2) successive weeks in a newspaper of general circulation in
2 the county or counties where the affected services, facilities or
3 commodities are located. Any change in the rates during the year
4 when the Legislature is not in session shall be reported in writing
5 to the Governor, Speaker of the House of Representatives and
6 President Pro Tempore of the Senate within five (5) business days of
7 such Commission action.

8 2. The Commission may establish maximum charges for all
9 activities at state-owned golf courses. The charges may vary among
10 the different golf courses according to the practices of the golf
11 industry. The method whereby the maximum charges are determined
12 shall be in accordance with rules promulgated pursuant to Article I
13 of the Administrative Procedures Act. At least twenty (20) days
14 prior to the adoption or approval of any rate changes by the
15 Commission, the Department shall submit a copy of such proposed
16 charges, for informational purposes, to the Governor, Speaker of the
17 House of Representatives and President Pro Tempore of the Senate.

18 3. The Commission may establish entrance or day-use charges for
19 the state park system. All monies collected from entrance or day-
20 use charges shall be used at the state parks where the charges were
21 collected. The Commission may establish an annual pass, or other
22 varied passes as appropriate to that park, for visitors. The method
23 whereby the maximum charges are determined, sold, and collected
24 shall be in accordance with rules promulgated pursuant to Article I

1 of the Administrative Procedures Act. At least ~~twenty (20)~~ ninety
2 (90) days prior to the adoption or approval of any rate changes by
3 the Commission, the Department shall submit a copy of such proposed
4 charges, for informational purposes, to the Governor, Speaker of the
5 House of Representatives ~~and~~, President Pro Tempore of the Senate
6 and to the State Senator or Senators and State Representative or
7 Representatives who represent the respective Senate and House
8 districts where the state park is located. No proposed rate shall
9 become effective unless the Commission shall hold a public hearing
10 to consider the proposed rate at least sixty (60) days prior to the
11 adoption or approval of any rate changes by the Commission. The
12 public hearing shall be held on the campus of the career-technology
13 facility nearest to the location of the state park. Notice of the
14 public hearing describing the date, time and location of the public
15 hearing and stating the proposed rate or rates shall be posted on
16 the Commission's website and published at least once each week for
17 two (2) successive weeks in a newspaper of general circulation in
18 the county or counties where the affected services, facilities or
19 commodities are located.

20 4. Fees shall be promulgated pursuant to Article I of the
21 Administrative Procedures Act.

22 5. Fees may reflect the seasonal usage of the parks and
23 facilities and for promotional purposes and goals.
24

1 B. All fees, licenses and other charges shall be posted in a
2 convenient place in each park. Every person using any of the
3 facilities in a park shall be charged the same fees, licenses and
4 every other charge except:

5 1. Residents of this state sixty-two (62) years of age and over
6 and their spouses shall not be charged any admission fees for
7 entrance into any state-owned and -operated park. The Commission
8 may promulgate rules establishing different fees for residents and
9 nonresidents sixty-two (62) years of age and over. Identification
10 may be established by presentation of proof of age, residency, a
11 state driver license, a state license for identification only, birth
12 certificate or any other form of identification authorized by the
13 Commission;

14 2. Individuals who have been certified as totally disabled
15 under state or federal law and their spouses shall be entitled to a
16 fifty percent (50%) reduction of fees which apply to recreational-
17 use facilities;

18 3. Children's groups, volunteer groups as specified by the
19 Commission, or governmental entities that provide beneficial
20 services at the facility for which the fee may be reduced or waived;
21 and

22 4. Special discount rates as authorized in this section may be
23 waived for individuals who are members of a group being provided a
24 special group rate as allowed by law.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

C. The failure to collect such fees, licenses and other charges shall subject an employee of the Commission to a fine of Twenty-five Dollars (\$25.00) for each and every violation.

SECTION 2. This act shall become effective November 1, 2020.

57-2-10271 AMM 01/13/20