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February 8, 2023

By: Bergstrom

An Act relating to commercial flotation devices; amending 82 O.S. 2021, Section 896.16, which relates to user fees and licenses; authorizing promulgation of rules; updating statutory language; updating statutory reference; and providing an effective date.

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

SECTION 1. AMENDATORY 82 O.S. 2021, Section 896.16, is amended to read as follows:

Section 896.16. A. 1. Until replaced or changed as provided for in subsection C of this section, the Grand River Dam Authority is authorized and directed to charge an annual use fee of Thirty-five Dollars (\$35.00) per commercially owned and operated flotation device on the Illinois River within Adair, Cherokee and Delaware Counties.

2. The operation of a commercial flotation device without displaying a proper license issued by the Authority shall result in a fine not to exceed One Hundred Dollars (\$100.00). The fine shall be assessed upon the owner or operator of the commercial flotation

1 device business and not upon the individual renting the commercial  
2 flotation device.

3 3. Commercial flotation devices shall not be operated on Flint  
4 Creek in Delaware County and those portions of Barren Fork Creek in  
5 Cherokee County.

6 B. For the Flint Creek and Illinois River within Adair,  
7 Cherokee and Delaware Counties and those portions of Barren Fork  
8 Creek within Cherokee County, the Authority is authorized and  
9 directed to charge until replaced or changed as provided for in  
10 subsection C of this section:

11 1. An annual use fee of Ten Dollars (\$10.00) per noncommercial,  
12 privately owned device; or

13 2. A use fee of One Dollar (\$1.00) per day for all  
14 noncommercial, privately owned flotation devices floating upon a  
15 designated scenic river. Landowners located immediately adjacent to  
16 a designated scenic river shall not be required to pay any fee for  
17 private use as authorized in this section or otherwise by law.

18 C. Under the provisions of Section ~~5 of this act~~ 896.2 of this  
19 title granting the Authority the power to establish licenses and set  
20 fees, the Authority may promulgate rules for the collection and  
21 administration of the fees imposed pursuant to the provisions of  
22 this section or may promulgate rules establishing licenses;  
23 providing for the issuance, renewal, revocation, denial, and  
24 suspension of licenses; and setting fees that change or replace the

1 licenses and fees imposed pursuant to the provisions of this  
2 section. Upon final adoption of rules changing or replacing any or  
3 all of the licenses and fees imposed pursuant to the provisions of  
4 this section, the Authority shall cease to impose, collect or charge  
5 the license and fee that was changed or replaced by rule. Rules  
6 promulgated by the Authority pursuant to this section shall be in  
7 accordance with the Administrative Procedures Act.

8 D. Until replaced or changed as provided for in subsection C  
9 of this section, the Grand River Dam Authority may charge a fee for  
10 use of camping sites located in public use and access areas  
11 controlled by the Authority in an amount that does not exceed the  
12 rate charged by the Oklahoma Tourism and Recreation Department for  
13 camping sites.

14 E. For the purposes of the Scenic Rivers Act, "commercial  
15 flotation device" means a canoe, boat, kayak, inner tube, raft or  
16 other similar device suitable for the transportation of a person or  
17 persons on waterways which is available for hire by the public for  
18 use on scenic rivers.

19 SECTION 2. This act shall become effective in accordance with  
20 the provisions of Section 58 of Article V of the Oklahoma  
21 Constitution.

22 COMMITTEE REPORT BY: COMMITTEE ON TOURISM AND WILDLIFE  
23 February 8, 2023 - DO PASS  
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