

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 2057

6 By: Hardin

7 COMMITTEE SUBSTITUTE

8 An Act relating to Grand River Dam Authority;
9 amending 82 O.S. 2021, Section 896.16, which relates
10 to user fees, licenses and fines; updating statutory
11 reference; authorizing the Grand River Dam Authority
12 to promulgate certain rules; and declaring an
13 emergency.

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

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

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

22 2. The operation of a commercial flotation device without
23 displaying a proper license issued by the Authority shall result in
24 a fine not to exceed One Hundred Dollars (\$100.00). The fine shall

1 be assessed upon the owner or operator of the commercial flotation
2 device business and not upon the individual renting the commercial
3 flotation device.

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

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

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

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

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

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

9 D. Until replaced or changed as provided for in subsection C of
10 this section, the Grand River Dam Authority may charge a fee for use
11 of camping sites located in public use and access areas controlled
12 by the Authority in an amount that does not exceed the rate charged
13 by the Oklahoma Tourism and Recreation Department for 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. It being immediately necessary for the preservation
20 of the public peace, health or safety, an emergency is hereby
21 declared to exist, by reason whereof this act shall take effect and
22 be in full force from and after its passage and approval.

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