

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

HOUSE BILL 1915

By: Fugate

AS INTRODUCED

An Act relating to the Oklahoma Tourism and Recreation Commission; amending 74 O.S. 2021, Sections 2203, 2204 and 2206, which relate to the Oklahoma Tourism and Recreation Commission; removing the Commission as an advisory body; transferring duties to the Commission; modifying powers and duties of Commission; authorizing Commission to appoint Executive Director; providing for determination of compensation by the Commission; and providing an effective date.

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

SECTION 1. AMENDATORY 74 O.S. 2021, Section 2203, is amended to read as follows:

Section 2203. A. The Oklahoma Tourism and Recreation Commission shall ~~be an advisory body to the Executive Director of the Oklahoma Tourism and Recreation Department and shall~~ consist of eight (8) members who shall serve a term of six (6) years. ~~Effective January 14, 2019, all duties and powers of the Commission shall be transferred to the Executive Director. Any provision in statute that provides to the Commission authority that is not~~

1 ~~advisory in nature shall be deemed to grant the duty or power to the~~  
2 ~~Executive Director.~~ No more than one Commission member shall be  
3 from any one county. The Lieutenant Governor shall serve as an ex  
4 officio voting member of the Commission.

5 B. One member shall be appointed from each congressional  
6 district, who shall be a resident and a qualified elector in the  
7 district from which appointed, and the remaining members shall be  
8 appointed from the state at large. If congressional districts are  
9 redrawn each member appointed shall complete the current term of  
10 office at which time a new appointment shall be made in compliance  
11 with the redrawn congressional district.

12 C. Commission members shall be appointed by the Governor, with  
13 the advice and consent of the Senate, ~~and shall serve at the~~  
14 ~~pleasure of the Governor.~~ Commission members shall only be removed  
15 from the Board by the Governor with cause. Whenever a vacancy on  
16 the Commission occurs by death, resignation, or otherwise, the  
17 Governor shall fill the same by appointment, with the advice and  
18 consent of the Senate, and the appointee shall hold office during  
19 the unexpired term. Each member shall hold office until a successor  
20 has been appointed and qualified. Five members of the Commission  
21 shall constitute a quorum, and the vote of the majority of members  
22 present shall be necessary for any action to be taken by the  
23 Commission. No vacancy in the membership of the Commission shall  
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1 impair the rights of a quorum to exercise and perform all the rights  
2 and duties of the Commission.

3 D. With the exception of the ex officio, no member of the  
4 Commission shall seek election to a federal, state, or county office  
5 while serving on the Commission.

6 E. Each member of the Commission, before serving on the  
7 Commission, shall take and subscribe to the constitutional and  
8 statutory oaths of office and file said oaths with the Secretary of  
9 State. Members of the Commission shall be reimbursed for travel  
10 expenses to Commission meetings as provided in the State Travel  
11 Reimbursement Act.

12 F. The Commission shall be organized by the Governor, who shall  
13 appoint from the Commission the chair, the vice-chair, and the  
14 secretary. The Commission is authorized and directed to adopt rules  
15 pursuant to the provisions of the Administrative Procedures Act to  
16 execute the powers and duties of the Commission and Department.

17 G. The Commission may meet monthly and shall meet at least  
18 quarterly. The Commission may meet at such other times as it deems  
19 necessary for effectively performing its duties and  
20 responsibilities. Special meetings may be called by the Chair or by  
21 any three members of the Commission. The meetings of the Commission  
22 shall be subject to the Oklahoma Open Meeting Act.

23 H. The Commission is hereby declared to be a governmental  
24 agency and instrumentality of the State of Oklahoma with authority

1 to exercise, in addition to those powers it currently has, the  
2 rights, privileges, and functions hereinafter specified.

3 SECTION 2. AMENDATORY 74 O.S. 2021, Section 2204, is  
4 amended to read as follows:

5 Section 2204. There are hereby granted to and imposed in the  
6 Oklahoma Tourism and Recreation ~~Department~~ Commission, and in any  
7 commission or body which may hereafter succeed to the powers,  
8 rights, and duties of the Commission, the following additional  
9 powers, rights and duties:

10 1. Sue and be sued;

11 2. Adopt, use, and alter an official seal;

12 3. Make bylaws for the management and regulation of its  
13 affairs;

14 4. Appoint, prescribe the duties, and fix the compensation for  
15 officers, agents, and employees;

16 5. Make contracts and execute instruments as in the judgment of  
17 the ~~Department~~ Commission are necessary or convenient to the  
18 exercise of the powers conferred upon it by law; and

19 6. Promulgate rules and policies necessary and convenient to  
20 the exercise of the powers conferred upon it by law.

21 SECTION 3. AMENDATORY 74 O.S. 2021, Section 2206, is  
22 amended to read as follows:

23 Section 2206. The chief executive officer of the Oklahoma  
24 Tourism and Recreation ~~Department~~ Commission shall be the Executive

1 Director, who shall be appointed by the ~~Governor, with the advice~~  
2 ~~and consent of the Senate,~~ Commission and who shall serve at the  
3 pleasure of ~~the Governor and may be removed or replaced without~~  
4 ~~cause~~ said Commission. The Executive Director shall be chosen with  
5 regard to knowledge, training, experience, and ability to administer  
6 the functions of the ~~Department~~ Commission. ~~Compensation for the~~  
7 The Commission shall establish the salary of the Executive Director  
8 ~~shall be determined pursuant to Section 3601.2 of this title.~~

9 SECTION 4. This act shall become effective November 1, 2023.

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