

**RULE IMPACT STATEMENT**  
**TITLE 725. OKLAHOMA TOURISM AND RECREATION DEPARTMENT**  
**CHAPTER 1. ADMINISTRATIVE OPERATIONS**

1. **DESCRIPTION:**

The proposed revisions to the rules amend citations to and quotations of Oklahoma statutes in alignment with the Administrative Rules on Rulemaking, OAC 655:10. The proposed rules clarify the Executive Director's authority to prescribe rates as authorized under 74 O.S. § 2220 and add clarity to the review process used by the Department when requested by a third party to change or adopt a rule.

2. **DESCRIPTION OF AFFECTED PERSONS AND COST IMPACT:**

The proposed rules do not affect or have a cost impact to any person or entity not already codified in Oklahoma statutes. The proposed revisions amend rules to align with Oklahoma statutes more closely.

3. **DESCRIPTION OF PERSONS BENEFITING:**

There are no classes of persons that will benefit from the proposed rules.

4. **ECONOMIC IMPACT AND FEE CHANGES:**

There are no expected economic impacts from the proposed rules.

5. **COST AND BENEFITS OF IMPLEMENTATION AND ENFORCEMENT TO THE AGENCY:**

The agency will benefit from rules that correctly summarize and/or quote entire sections of statute.

6. **ECONOMIC IMPACT ON POLITICAL SUBDIVISIONS:**

There is no economic impact expected to affect political subdivisions.

7. **ADVERSE ECONOMIC IMPACT ON SMALL BUSINESSES:**

There is no expected adverse economic impact on small businesses.

8. **MEASURES TO MINIMIZE RULE COST:**

The agency does not anticipate compliance costs for the proposed rules.

**9. EFFECT ON PUBLIC HEALTH AND SAFETY:**

There is no expected effect on public health and safety.

**10. DETRIMENTAL EFFECTS ON PUBLIC HEALTH AND SAFETY WITHOUT ADOPTION:**

The agency is unable to identify any detrimental effects on public health and safety.

**11. PREPARATION AND MODIFICATION DATES OF RULE IMPACT STATEMENT:**

This rule impact statement was prepared on January 31, 2024.

**RULE IMPACT STATEMENT**  
**TITLE 725. OKLAHOMA TOURISM AND RECREATION DEPARTMENT**  
**CHAPTER 15. FISCAL, PERSONNEL AND GENERAL OPERATIONS**

1. **DESCRIPTION:**

The proposed revisions to the rules modify and clarify the Department's operational rules and clean-up the formatting of the rules as well as revoke subchapters no longer authorized by statute. The proposed rules restrict the Department's acceptance of checks to business checks, add definitions to clarify previously undefined terms such as "facility manager," and modifies rules pertaining to pets and service animals in the State Park System.

2. **DESCRIPTION OF AFFECTED PERSONS AND COST IMPACT:**

The persons affected by the proposed rules are guests that visit facilities operated by the agency, including all Oklahoma State Parks. Local business that depend on agency facilities as economic and workforce drivers and small businesses that enter promotional partnerships with the agency will also be affected. The legislature's removal of the agency's statutory authority to promote agency facilities in accordance with hospitality industry standards is expected to create detrimental disadvantages to both the agency and to partners that depended on the agency. Without these, the agency loses its ability to compete with the private sector. The impact of these changes is fully expected to create grave impacts on both agency and small businesses revenue.

3. **DESCRIPTION OF PERSONS BENEFITING:**

There are no classes of persons that will benefit from the proposed rules.

4. **ECONOMIC IMPACT AND FEE CHANGES:**

There are no fee changes in the proposed rules. However, the agency does anticipate a disproportionate economic impact on rural communities located near state parks due to legislative changes removing its authorization for promotion programs. The extent of the economic impacts is unknown but is expected to affect visitors to Oklahoma State Parks and the rural communities that surround Oklahoma's 38 state parks that depend on visitors from no longer authorized promotion events of the agency.

5. **COST AND BENEFITS OF IMPLEMENTATION AND ENFORCEMENT TO THE AGENCY:**

The proposed rules implement statutory changes and will have a detrimental fiscal impact on business operations of the agency. The agency has not operated without the ability to

offer promotional and discount programs customary in the hospitality industry. Therefore, the extent the negative fiscal impact to the agency will be is unknown.

The agency is expecting the removal of the promotional and discount programs, a customary business component of the hospitality industry, to place the agency at a significant disadvantage to compete with private sector companies and vendors in the tourism industry. The agency's hospitality business is crippled by the loss of its promotional abilities. The elimination of promotional and discount programs from the agency's arsenal places the agency at a significant disadvantage to compete with other hospitality businesses and increases the likelihood that state park amenities will be a last resort to comparable options.

**6. ECONOMIC IMPACT ON POLITICAL SUBDIVISIONS:**

The removal of the agency's promotional rules as required by the legislature's statutory changes will have an economic impact on political subdivisions where agency facilities are located. Political subdivisions and business near agency facilities depended on the agency's promotional programs as economic drivers. With decreased economic drivers, negative economic impacts will follow.

**7. ADVERSE ECONOMIC IMPACT ON SMALL BUSINESSES:**

The removal of promotion programs will impact small businesses that depend on partnerships with the agency. The agency's proposed permanent rule changes are mandated by state legislation and the agency is afforded no discretion to consider less restrictive alternatives. Therefore, the proposed rules are not expected to have an economic impact on small businesses pursuant to the Oklahoma Small Business Regulatory Flexibility Act, 75 O.S. § 501 *et seq.*

**8. MEASURES TO MINIMIZE RULE COST:**

The agency's proposed rules implement changes mandated by legislation. The agency will experience loss of revenue through both traditional means and administrative costs to accommodate new and upcoming events without past exceptions. To the extent the agency can minimize compliance costs with the proposed rules, the agency does not anticipate compliance costs.

**9. EFFECT ON PUBLIC HEALTH AND SAFETY:**

There is no expected effect on public health and safety.

**10. DETRIMENTAL EFFECTS ON PUBLIC HEALTH AND SAFETY WITHOUT ADOPTION:**

The agency is unable to identify any detrimental effects on public health and safety.

**11. PREPARATION AND MODIFICATION DATES OF RULE IMPACT STATEMENT:**

This rule impact statement was prepared on January 31, 2024.

**RULE IMPACT STATEMENT**  
**TITLE 725. OKLAHOMA TOURISM AND RECREATION DEPARTMENT**  
**CHAPTER 20. MARKETING SERVICES OPERATION**

1. **DESCRIPTION:**

The proposed revisions to the rules clean-up formatting to existing rules. The proposed rules also modify and update the Department's rules in alignment with current practices and terminology by removing outdated references and language relating to multicounty organizations and pets and service animals at Tourism Information Centers. Multicounty organizations are required to have logos, designs and advertisements approved by the Department and shall include trackable QR codes on printed materials that allow the multicounty organization to track and report the impact of advertising and other printed materials. Multicounty organizations shall refer to the Department as the State's official marketing agency. Advertisements that violate Federal Law are not allowable expenditures for a multicounty organization.

2. **DESCRIPTION OF AFFECTED PERSONS AND COST IMPACT:**

Individual persons are not anticipated to be affected by the proposed rules.

3. **DESCRIPTION OF PERSONS BENEFITING:**

The classes of persons anticipated to benefit from the proposed rules are persons in areas where multicounty organizations market and advertise.

4. **ECONOMIC IMPACT AND FEE CHANGES:**

There are no fee changes in the proposed rules and no anticipated economic impact.

5. **COST AND BENEFITS OF IMPLEMENTATION AND ENFORCEMENT TO THE AGENCY:**

The proposed rules allow the agency to effectuate partnerships with multicounty organizations in alignment with state advertising and marketing goals. The proposed rules also allow the agency to ensure that multicounty organizations are not receiving funding from the agency for advertising or marketing that violates federal law.

6. **ECONOMIC IMPACT ON POLITICAL SUBDIVISIONS:**

The proposed rules may promote more effective marketing and advertising that positively impacts political subdivisions. The proposed rules do not require participation from political subdivisions and therefore are not expected to have negative economic impacts.

**7. ADVERSE ECONOMIC IMPACT ON SMALL BUSINESSES:**

The proposed rules add additional key performance indicators to ensure success in marketing initiatives that could impact future funding if a multicounty organization fails in compliance. A multicounty organization receiving funds from the agency is currently required to meet funding and reporting metrics to receive funds. The proposed rules more clearly articulate and set forth the standards for a multicounty organization to receive matching funds.

**8. MEASURES TO MINIMIZE RULE COST:**

The agency's proposed rules allow the agency to enter agreements to reduce its costs to administer funds to multicounty organizations.

**9. EFFECT ON PUBLIC HEALTH AND SAFETY:**

There is no expected effect on public health and safety.

**10. DETRIMENTAL EFFECTS ON PUBLIC HEALTH AND SAFETY WITHOUT ADOPTION:**

The agency is unable to identify any detrimental effects on public health and safety.

**11. PREPARATION AND MODIFICATION DATES OF RULE IMPACT STATEMENT:**

This rule impact statement was prepared on January 31, 2024.

**RULE IMPACT STATEMENT**  
**TITLE 725. OKLAHOMA TOURISM AND RECREATION DEPARTMENT**  
**CHAPTER 30. DIVISION OF STATE PARKS**

1. **DESCRIPTION:**

The proposed rules clean-up general formatting of existing rules in addition to citations to and quotations of Oklahoma statutes in accordance with the Administrative Rules on Rulemaking, OAC 655:10. Rules relating to promotional and discount programs of the agency that were revoked by the legislature are being revoked by the agency in accordance with state statute. The proposed rules enhance the safety of persons in Oklahoma State Parks by increasing the distance swimmers must remain from high traffic watercraft areas and requiring the usage of drones or explosives such as fireworks to receive a permit issued by the Director of the Division of State Parks. Bow fishing is removed as a permitted activity. The proposed rules modernize outdated facility use times to allow check-in earlier in the day. The definition of bicycle is amended to include electric bikes and any person providing unpaid labor or services shall be defined as a volunteer.

2. **DESCRIPTION OF AFFECTED PERSONS AND COST IMPACT:**

The proposed rules will affect people visiting state parks operated by the agency. The legislature's removal of the agency's ability to offer promotional and discount programs will disadvantage the agency to attract new visitors and re-attract previous visitors. Although the extent of the impact is unknown, the agency expects local businesses near state parks to be affected by reduced local tourism and a steep loss in revenue.

3. **DESCRIPTION OF PERSONS BENEFITING:**

There are no classes of persons expected to benefit from the proposed rules removing the agency's promotional and discount programs. The proposed rules not concerning promotional and discount programs increase safety for persons visiting state parks operated by the agency.

4. **ECONOMIC IMPACT AND FEE CHANGES:**

There are no fee changes in the proposed rules. However, the agency does anticipate a disproportionate economic impact on rural communities located near state parks due to legislative changes removing its authorization for promotion programs. The extent of the economic impacts is unknown but is expected to affect visitors to Oklahoma State Parks and the rural communities that surround Oklahoma's 38 state parks that depend on visitors from no longer authorized promotion events of the agency.

5. **COST AND BENEFITS OF IMPLEMENTATION AND ENFORCEMENT TO THE AGENCY:**

The proposed rules implement statutory changes and will have a detrimental fiscal impact on business operations of the agency. The agency has not operated without the ability to offer promotional and discount programs customary in the hospitality industry. Therefore, the extent the negative fiscal impact to the agency will be is unknown.

The agency is expecting the removal of the promotional and discount programs, a customary business component of the hospitality industry, to place the agency at a significant disadvantage to compete with private sector companies and vendors in the tourism industry. The agency's hospitality business is crippled by the loss of its promotional abilities. The elimination of promotional and discount programs from the agency's arsenal places the agency at a significant disadvantage to compete with other hospitality businesses and increases the likelihood that state park amenities will be a last resort to comparable options.

**6. ECONOMIC IMPACT ON POLITICAL SUBDIVISIONS:**

The removal of the agency's promotional rules as required by the legislature's statutory changes will have an economic impact on political subdivisions where agency facilities are located. Political subdivisions and business near agency facilities depended on the agency's promotional programs as economic drivers. With decreased economic drivers, negative economic impacts will follow.

**7. ADVERSE ECONOMIC IMPACT ON SMALL BUSINESSES:**

The removal of promotional and discount programs will reduce the economic drivers tourism provides and that small businesses depend on. However, the agency's proposed permanent rule changes are mandated by state legislation and the agency is afforded no discretion to consider less restrictive alternatives. Therefore, the proposed rules are not expected to have an economic impact on small businesses pursuant to the Oklahoma Small Business Regulatory Flexibility Act, 75 O.S. § 501 *et seq.*

**8. MEASURES TO MINIMIZE RULE COST:**

The agency has ensured its rules remove promotional and discount programs in accordance with legislative changes.

**9. EFFECT ON PUBLIC HEALTH AND SAFETY:**

The proposed rules are expected to reduce significant risks to public safety by increasing the distance swimmers must remain from boat ramps, boat docks, and fishing piers and requiring all persons providing volunteer labor to pass a background check.

**10. DETRIMENTAL EFFECTS ON PUBLIC HEALTH AND SAFETY WITHOUT ADOPTION:**

The agency is unable to identify any detrimental effects on public health and safety.

**11. PREPARATION AND MODIFICATION DATES OF RULE IMPACT STATEMENT:**

This rule impact statement was prepared on January 31, 2024.