

1 ENGROSSED SENATE
2 BILL NO. 232

By: Marlatt and Johnson
(Constance) of the Senate

3 and

4 Armes of the House

5
6
7 [creating the Task Force on Healthier Neighborhood
8 Living - noncodification - effective date -
9 emergency]

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

12 SECTION 1. NEW LAW A new section of law not to be
13 codified in the Oklahoma Statutes reads as follows:

14 A. The Legislature finds that:

15 1. Many Americans do not get the exercise they need to be
16 healthy simply because they do not have places to be active.

17 Research shows that people who live near parks exercise thirty eight
18 percent (38%) more than those who do not have easy access to parks;

19 2. Shared-use partnerships between school districts and local
20 governments or organizations can allow community members and groups
21 to use playgrounds, athletic fields, pools, gymnasiums, and other
22 recreational facilities after school hours. Shared-use partnerships
23 can also be used to make community facilities available to schools
24 at a free or reduced cost;

1 3. Obesity increases the risk of diabetes, heart disease,
2 stroke, some cancers, and other health problems;

3 4. School facilities, especially those that are centered in the
4 community, can be an excellent resource for recreation and exercise
5 when there is limited availability or when private options are too
6 expensive; and

7 5. The most innovative districts are maximizing shared-use of
8 school facilities to address the educational and health needs of
9 students and the community's need for recreational activity spaces.

10 B. It is the intent of the Legislature to remove barriers that
11 could discourage schools from offering a variety of safe, clean
12 facilities, including running tracks, pools, gymnasiums, fitness
13 rooms, and playgrounds to the community.

14 SECTION 2. NEW LAW A new section of law not to be
15 codified in the Oklahoma Statutes reads as follows:

16 A. There is hereby created until November 30, 2011, the Task
17 Force on Healthier Neighborhood Living. The task force shall:

18 1. Examine the feasibility of amending laws relating to the use
19 of school-owned recreational facilities by other government and
20 nongovernmental entities for the purpose of physical activity by
21 imposing liability for property damage and injury on the user, as
22 well as providing that the school not be held liable;

23 2. As appropriate, hear testimony from industry experts and key
24 leaders concerned with this issue, including, but not limited to,

1 state public education officials, public health organizations,
2 parent-teacher associations, physicians specializing in the area of
3 obesity, and representatives from other states or municipalities
4 that have instituted policies limiting liability in this manner; and

5 3. Recommend any actions or legislation which the task force
6 deems necessary or appropriate.

7 B. The task force shall be composed of twelve (12) members as
8 follows:

9 1. Six members appointed by the President Pro Tempore of the
10 Senate as follows:

11 a. two members of the Senate, one of whom shall be the
12 Chair of the Senate Health and Human Services
13 Committee and one of whom shall be a member of the
14 minority party,

15 b. one member representing an association that advocates
16 for the prevention and cure of diabetes in the state,

17 c. one member representing a nongovernmental community
18 group,

19 d. one member representing an association of physical
20 activity professionals in the state, and

21 e. one member-at-large representing an urban area of the
22 state; and

23 2. Six members appointed by the Speaker of the House of
24 Representatives as follows:

- 1 a. two members of the House of Representatives, one of
2 whom shall be the chair of the Judiciary Committee and
3 one of whom shall be a member of the minority party,
4 b. one member representing an association that advocates
5 for the prevention of heart disease and stroke in the
6 state,
7 c. the State Commissioner of Health, or designee,
8 d. one member-at-large representing a rural area of the
9 state, and
10 e. one member representing school boards across the
11 state.

12 C. Appointments shall be made by August 15, 2011. The members
13 of the task force shall serve at the pleasure of the appointing
14 authority.

15 D. The Chair of the Senate Health and Human Services Committee
16 shall call the first meeting.

17 E. The chair and vice-chair of the task force shall be selected
18 by the task force from among the members.

19 F. A quorum of the task force shall be required in order for
20 any final action by the task force.

21 G. The task force shall meet no less than two (2) times.

22 H. Members of the task force shall receive no compensation for
23 their service, but shall receive travel reimbursement as follows:
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1 1. Legislative members of the task force shall be reimbursed
2 for necessary travel expenses incurred in the performance of their
3 duties in accordance with the provisions of Section 456 of Title 74
4 of the Oklahoma Statutes; and

5 2. Nonlegislative members of the task force shall be reimbursed
6 for necessary travel expenses incurred in the performance of their
7 duties in accordance with the State Travel Reimbursement Act.

8 I. Staff support for the task force shall be provided by the
9 State Department of Health.

10 J. The task force shall report its findings, including any
11 legislative recommendations, to the President Pro Tempore of the
12 Senate, the Speaker of the House of Representatives, and the
13 Governor by November 30, 2011.

14 SECTION 3. This act shall become effective July 1, 2011.

15 SECTION 4. It being immediately necessary for the preservation
16 of the public peace, health and safety, an emergency is hereby
17 declared to exist, by reason whereof this act shall take effect and
18 be in full force from and after its passage and approval.

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1 Passed the Senate the 14th day of March, 2011.

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4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2011.

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9 Presiding Officer of the House
10 of Representatives