An Act

ENROLLED SENATE
BILL NO. 1029

By: Thompson (Kristen) of the Senate

and

Roe of the House

An Act relating to the Department of Mental Health and Substance Abuse Services; amending 43A O.S. 2021, Section 2-111, as amended by Section 1, Chapter 267, O.S.L. 2022 (43A O.S. Supp. 2022, Section 2-111), which relates to real property trust; authorizing sale of certain land; clarifying terminology; and providing an effective date.

SUBJECT: Department of Mental Health and Substance Abuse Services

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

SECTION 1. AMENDATORY 43A O.S. 2021, Section 2-111, as amended by Section 1, Chapter 267, O.S.L. 2022 (43A O.S. Supp. 2022, Section 2-111), is amended to read as follows:

Section 2-111. A. 1. The Board of Mental Health and Substance Abuse Services is hereby authorized and directed to create a trust into which all real property held by or for the benefit of the Department of Mental Health and Substance Abuse Services shall be transferred.

2. The trust shall provide that:

a. the property placed into the trust may never be sold, except for the tracts specifically described in

subparagraph c of this paragraph, if it is determined by the trustees for the Department's Real Property Trust and by the Department that such a sale is in the best interests of the Department, and then the proceeds shall be used exclusively for tangible infrastructure improvements that benefit the persons served by the Department~~,~~. The provisions of 61 O.S. Section 327 do not apply to the sale of real property under this section, otherwise the property shall be held in perpetuity for the sole benefit of the Department,

b. the property held by the trust which is not needed for use by the Department may be leased or rented to others and all income received from such leases or rentals shall be payable to the Department for use by the Department to fulfill the purposes of the Department, except as provided in subparagraph d of this section,

c. the following tract or tracts of land may be sold as set forth in subparagraph a of this paragraph:

(1) Land owned by the Department located in Sections 20 and 29, Township 9 North, Range 2 West, Cleveland County, Oklahoma,

(2) Land owned by the Department located in Block 5 of Culbertson Heights Addition to the City of Oklahoma City, Oklahoma County, Oklahoma,

(3) Land owned by the Department located in Section 27, Township 9 North, Range 2 West, Cleveland County, Oklahoma,

(4) Land owned by the Department located in Section 20 ~~North~~, Township 20 North, Range 13 East and described as PRT NW NW BEG ~~659.68S~~ 659.68 Feet South & ~~310.67E~~ 310.67 Feet East NWC NW ~~TH N142.64 NE150 NW140 to PT on SL Mohawk BLVD NE300 SE187.75 E204.92 to PT 405W EL NW NW S355.89 to PT on NL ATLANTA CIRCLE ADD W604.06 POB SEC 20 20~~

~~13 5.168 ACS~~, thence North 142.64 Feet, NE 150 Feet, NW 140 Feet to point on South Line Mohawk Blvd, NE 300 Feet, SE 187.75 Feet, East 204.92 Feet to point 405 West of East Line NW, thence South 355.89 Feet to point on North Line Atlanta Circle ADD, thence West 604.06 to Point of Beginning, 5.16 acres More or Less in Tulsa County, Oklahoma,

(5) Land owned by the Department located in all that part of the North Half of the Northwest Quarter of the Northwest Quarter (N/2 NW1/4 NW1/4) of Section 20 ~~North~~, Township 20 North, Range 13 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof, being more particularly described as BEGINNING at the Northeast corner of ~~said~~ such NW/4 NW/4; thence West along the North line of ~~said~~ such NW/4, a distance of 405 feet to a point; thence South and parallel to the East line of ~~said~~ such NW/4, a distance of 615.53 feet to a point; thence East and parallel to the North line of ~~said~~ such NW/4, a distance of 405 feet to a point in the East line of ~~said~~ such NW/4 NW/4, and ~~said~~ such point being 615.53 feet South of the Northeast corner of ~~said~~ such NW/4 NW/4; thence North along the East line of ~~said~~ such NW/4 NW/4 a distance of 615.53 feet to a Point and Place of the Beginning, ~~and~~

(6) Land owned by the Department located in Lots 13 through 24, Inclusive Block 5 and Bath Orchard Addition to Oklahoma City, SE 1/4 of Section 26, Township 12 North, Range 3 West, and

(7) Land owned by the Department located in a portion of Block 2 in Warr Acres, Oklahoma and described as SE 1/4, SE 1/4 of Section 9, Township 12 North, Range 4 West, and

d. under no condition should any real property held in trust be sold to fund prevention, mental health or addiction treatment services.

B. Upon the creation of the trust authorized in subsection A of this section, the Office of Management and Enterprise Services is directed to provide all necessary assistance to the Department of Mental Health and Substance Abuse Services to identify and transfer all property held by or for the benefit of the Department of Mental Health and Substance Abuse Services to the trust. Except as provided in subsection C of this section, the Office of Management and Enterprise Services is authorized and directed to provide all requested assistance to the Department of Mental Health and Substance Abuse Services in leasing property placed in such trust.

C. The Commissioners of the Land Office are authorized and directed to provide all requested assistance to the Department of Mental Health and Substance Abuse Services in leasing mineral interests placed in such trust.

SECTION 2. This act shall become effective November 1, 2023.

Passed the Senate the 19th day of May, 2023.

Presiding Officer of the Senate

Passed the House of Representatives the 20th day of April, 2023.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 22nd

day of May, 20 23, at 2:53 o'clock p. M.

By: Summer Cursey

Approved by the Governor of the State of Oklahoma this 9th

day of June, 20 23, at 11:09 o'clock a. M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 9th

day of June, 2023, at 4:06 o'clock P. M.

By: Brian Bingman