

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 HOUSE BILL 1231

By: McBride

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6 AS INTRODUCED

7 An Act relating to property; prohibiting transfers or  
8 leases of certain items of tangible personal property  
9 to public trusts; restricting transfer of title or  
10 lease transactions based upon fair cash value or  
11 acquisition cost; specifying transactions prohibited  
12 based upon date of title transfer or lease date;  
13 providing for codification; and declaring an  
14 emergency.

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

16 SECTION 1. NEW LAW A new section of law to be codified  
17 in the Oklahoma Statutes as Section 180.5 of Title 60, unless there  
18 is created a duplication in numbering, reads as follows:

19 A. On and after the effective date of this act, no for-profit  
20 business entity shall transfer any item of tangible personal  
21 property to any public trust organized pursuant to the provisions of  
22 Section 176 et seq. of Title 60 of the Oklahoma Statutes which, at  
23 the time of its transfer, has a fair cash value or an acquisition  
24 cost to the for-profit business entity in excess of One Million  
Dollars (\$1,000,000.00).

1 B. On and after the effective date of this act, no for-profit  
2 business entity shall enter into a lease transaction with any public  
3 trust organized pursuant to the provisions of Section 176 et seq. of  
4 Title 60 of the Oklahoma Statutes with respect to any item of  
5 tangible personal property which, at the time the lease is executed  
6 by the parties, has a fair cash value or an acquisition cost to the  
7 for-profit business entity in excess of One Million Dollars  
8 (\$1,000,000.00). The provisions of this subsection shall be  
9 applicable to any transaction which requires the public trust to  
10 lease such tangible personal property to a for-profit business  
11 entity from which possession of the tangible personal property was  
12 originally acquired and shall be applicable to any transaction  
13 pursuant to which the tangible personal property is leased or leased  
14 back to any other for-profit business entity.

15 C. The provisions of this section shall be applicable to  
16 tangible personal property as described by this section title to  
17 which is transferred to any public trust on and after the effective  
18 date of this act, but shall not be applicable with respect to such  
19 tangible personal property title to which was transferred prior to  
20 the effective date of this act.

21 D. The provisions of this section shall be applicable to  
22 tangible personal property as described by this section which  
23 becomes subject to a lease transaction pursuant to which any public  
24 trust becomes the lessor of such tangible personal property and a

1 for-profit business entity becomes the lessee with respect to such  
2 assets if the lease documents are executed on or after the effective  
3 date of this act, but shall not be applicable with respect to lease  
4 transactions with respect to such items of tangible personal  
5 property if the lease documents were executed prior to the effective  
6 date of this act.

7 SECTION 2. It being immediately necessary for the preservation  
8 of the public peace, health or safety, an emergency is hereby  
9 declared to exist, by reason whereof this act shall take effect and  
10 be in full force from and after its passage and approval.

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