

An Act

ENROLLED HOUSE
BILL NO. 1696

By: Martin of the House

and

Standridge of the Senate

An Act relating to mental health; amending 43A O.S. 2011, Section 2-111, as last amended by Section 1, Chapter 178, O.S.L. 2014 (43A O.S. Supp. 2016, Section 2-111), which relates to a real property trust; providing certain exception; allowing certain tracts to be sold if certain determination is made; and providing an effective date.

SUBJECT: Trust for the benefit of the 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. 2011, Section 2-111, as last amended by Section 1, Chapter 178, O.S.L. 2014 (43A O.S. Supp. 2016, 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 ~~serviced~~ served by the Department, 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, ~~and~~
 - (2) Land owned by the Department located in Block 5 of Culbertson Heights Addition to the City of Oklahoma City, Oklahoma County, Oklahoma, and
 - (3) Land owned by the Department located in Section 27, Township 9 North, Range 2 West, Cleveland County, Oklahoma, 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, 2017.

Passed the House of Representatives the 20th day of March, 2017.

Presiding Officer of the House
of Representatives

Passed the Senate the 24th day of April, 2017.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____