## 1 HOUSE OF REPRESENTATIVES - FLOOR VERSION 2 STATE OF OKLAHOMA 3 1st Session of the 56th Legislature (2017) HOUSE BILL 1696 4 By: Martin 5 6 AS INTRODUCED 7 An Act relating to mental health; amending 43A O.S. 2011, Section 2-111, as last amended by Section 1, 8 Chapter 178, O.S.L. 2014 (43A O.S. Supp. 2016, 9 Section 2-111), which relates to a real property trust; providing certain exception; allowing certain 10 tracts to be sold if certain determination is made; and providing an effective date. 11 12 1.3 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA: 14 SECTION 1. 43A O.S. 2011, Section 2-111, as AMENDATORY 15 last amended by Section 1, Chapter 178, O.S.L. 2014 (43A O.S. Supp. 16 2016, Section 2-111), is amended to read as follows: 17 Section 2-111. A. 1. The Board of Mental Health and Substance 18 Abuse Services is hereby authorized and directed to create a trust 19 into which all real property held by or for the benefit of the 20 Department of Mental Health and Substance Abuse Services shall be 21 transferred. 22 The trust shall provide that: 23 the property placed into the trust may never be sold, a. 2.4 except for the tracts specifically described in

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2.4

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 <u>or tracts</u> 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

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## 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.

COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated 02/28/2017 - DO PASS.