

1 ENGROSSED HOUSE
2 BILL NO. 4067

By: Wallace of the House

3 and

4 Hall of the Senate

5
6 An Act relating to state property; amending 62 O.S.
7 2021, Section 908, as amended by Section 1, Chapter
8 188, O.S.L. 2023 (62 O.S. Supp. 2023, Section 908),
9 which relates to the Oklahoma State Government Asset
10 Reduction and Cost Savings Program; modifying revenue
11 source for the Maintenance of State Buildings
12 Revolving Fund; amending 74 O.S. 2021, Section 61.8,
13 which relates to long-range capital planning;
14 directing certain liquidation proceeds to the Legacy
15 Capital Financing Fund; and providing an effective
16 date.

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

18 SECTION 1. AMENDATORY 62 O.S. 2021, Section 908, as
19 amended by Section 1, Chapter 188, O.S.L. 2023 (62 O.S. Supp. 2023,
20 Section 908), is amended to read as follows:

21 Section 908. A. There is hereby established the Oklahoma State
22 Government Asset Reduction and Cost Savings Program.

23 B. No later than December 31 each year, the Director of the
24 Office of Management and Enterprise Services shall publish a
comprehensive report detailing state-owned properties.

C. The report mandated in accordance with the provisions of
this section shall list the five percent (5%) most underutilized

1 state-owned properties. The report shall describe the value of
2 properties falling within the description in this subsection, assess
3 the potential for purchase should the properties be offered for
4 sale, and describe the impact on local-level tax rolls in the event
5 the properties are purchased by a nongovernmental entity.

6 D. The Director of the Office of Management and Enterprise
7 Services shall promulgate rules establishing procedures by which
8 each state agency, board, commission, and public trust having the
9 state as a beneficiary, excluding those otherwise exempted under
10 Section 327 of Title 61 of the Oklahoma Statutes, shall submit the
11 necessary data to the Office of Management and Enterprise Services
12 for the development of this report.

13 E. State agencies, boards, commissions, and public trusts
14 having the state as a beneficiary shall comply with procedures
15 promulgated pursuant to the terms of this section.

16 F. The report and data collected pursuant to this section shall
17 be published as a data feed on the data.ok.gov website.

18 G. In addition to the requirements of subsection C of this
19 section, the Office of Management and Enterprise Services may make
20 recommendations for the sale of other state-owned properties based
21 upon the value of the property and the potential for net gain for
22 the state based upon the data obtained for the Oklahoma State
23 Government Asset Reduction and Cost Savings Program.

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1 H. There is hereby created the Maintenance of State Buildings
2 Revolving Fund. The fund shall be a continuing fund, not subject to
3 fiscal year limitations, and shall ~~serve as the depository for~~
4 ~~proceeds from the sale of state-owned properties pursuant to the~~
5 ~~Oklahoma State Government Asset Reduction and Cost Savings Program.~~
6 ~~The fund shall further consist of monies appropriated thereto and~~
7 ~~other funds designated for deposit therein~~ consist of all monies
8 received and directed for deposit in accordance with law. All
9 monies accruing to the credit of the fund are hereby appropriated
10 and may be expended exclusively for maintaining and repairing state-
11 owned properties and buildings pursuant to the procedures set forth
12 in Section 901.1 of Title 62 of the Oklahoma Statutes and for
13 acquisition of information technology tools or resources that state
14 agencies, boards, commissions, and public trusts having the state as
15 a beneficiary shall use in carrying out their obligations in
16 accordance with this act. The total expenditure for information
17 technology resources shall not exceed One Hundred Thousand Dollars
18 (\$100,000.00). Expenditures from the fund shall be made upon
19 warrants issued by the State Treasurer against claims filed as
20 prescribed by law with the Director of the Office of Management and
21 Enterprise Services for approval and payment. Expenditures from the
22 Maintenance of State Buildings Revolving Fund shall be detailed in a
23 data feed and made available through the data.ok.gov web portal.

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1 I. The Director of the Office of Management and Enterprise
2 Services shall notify entities found by the Office to be out of
3 compliance with the reporting provisions of this section in writing.

4 J. This section shall not be applicable to the following or
5 their lands, properties, buildings, funds, or revenue:

6 1. The Oklahoma Ordnance Works Authority;

7 2. The Commissioners of the Land Office; and

8 3. Institutions comprising The Oklahoma State System of Higher
9 Education, except as to the data reporting requirements in this
10 section.

11 K. The report required in subsection B of this section shall
12 include an indication of whether a property is owned by the Oklahoma
13 Historical Society, is listed on the National Register of Historic
14 Places or with the National Trust for Historic Preservation, or is
15 potentially of historical significance. The Office of Management
16 and Enterprise Services shall notify the Oklahoma Historical Society
17 and obtain its approval prior to the sale of any such property.

18 SECTION 2. AMENDATORY 74 O.S. 2021, Section 61.8, is
19 amended to read as follows:

20 Section 61.8 A. The Long-Range Capital Planning Commission
21 shall work to decrease the amount of property owned by Oklahoma
22 state government, return state-owned property to private sector
23 ownership, better maintain and utilize the state's needed capital
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1 assets and, whenever possible, eliminate the practice of state
2 agencies leasing real property not owned by the state.

3 B. Each year, the Director of the Office of Management and
4 Enterprise Services at the direction of the Long-Range Capital
5 Planning Commission, shall take action to approve the privatization
6 of state-owned real property as identified pursuant to the Oklahoma
7 State Government Asset Reduction and Cost Savings Program. Proceeds
8 from the liquidation of real properties shall be deposited into the
9 ~~Maintenance of State Buildings Revolving Fund~~ Legacy Capital
10 Financing Fund.

11 C. Prior to entering into or renewing a lease for real
12 property, each state agency, board, commission, and public trust
13 having the State of Oklahoma as a beneficiary shall receive approval
14 for entering into the lease from the Office of Management and
15 Enterprise Services.

16 D. Prior to making a purchase of real property or constructing
17 a building, each state agency, board, commission, and public trust
18 having the State of Oklahoma as a beneficiary shall receive approval
19 for the purchase or construction from the Director of the Office of
20 Management and Enterprise Services; provided, if such purchase or
21 construction is deemed by the Director of the Office of Management
22 and Enterprise Services to be within the authority of the Long-Range
23 Capital Planning Commission, the Director shall not approve the
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1 purchase or construction and shall refer the request to the
2 Commission for action.

3 E. Prior to approval or referral pursuant to subsection C or D
4 of this section, the Office of Management and Enterprise Services
5 shall determine if the applicant entity can utilize already existing
6 state-owned real property as an alternative to leasing non-state-
7 owned real property or purchasing or constructing new real property.
8 If such existing state-owned real property is owned by the Oklahoma
9 Historical Society, is listed on the National Register of Historic
10 Places or with the National Trust for Historic Preservation, or is
11 potentially of historical significance, the Office of Management and
12 Enterprise Services shall notify the Oklahoma Historical Society and
13 obtain its approval prior to approving an application for its reuse.

14 F. No state agency, board, commission or public trust having
15 the state as its beneficiary shall transfer any real property owned
16 by the agency, board, commission or trust to any other state agency,
17 board, commission, state beneficiary trust or any public or private
18 entity unless the transfer is first approved by the Long-Range
19 Capital Planning Commission. Any transfer made without the prior
20 approval of the Long-Range Capital Planning Commission as required
21 by this subsection may be reversed by the Long-Range Capital
22 Planning Commission and if a transfer is reversed the agency, board,
23 commission, state beneficiary trust or other state government entity
24 to which the real property has been impermissibly transferred shall

1 take such actions to convey the subject property to the entity from
2 which the asset was acquired not later than thirty (30) days from
3 the date an order for such transfer is entered by the Long-Range
4 Capital Planning Commission. The Commission shall not approve any
5 transfer unless proceeds from the sale shall be deposited within the
6 ~~Maintenance of State Buildings Revolving Fund as established by~~
7 ~~Section 908 of Title 62 of the Oklahoma Statutes~~ Legacy Capital
8 Financing Fund.

9 G. By February 1 of each year, the Office of Management and
10 Enterprise Services shall publish a report for the preceding
11 calendar year listing the parcels of previously state-owned property
12 sold, detailing the reduction in the amount of space leased by the
13 state, describing the source of funds and expenditures from the
14 Maintenance of State Buildings Revolving Fund and showing the manner
15 in which deferred maintenance needs are being met. The report shall
16 be provided to the Governor, Speaker of the House of
17 Representatives, President Pro Tempore of the Senate and placed on
18 the documents.ok.gov web portal.

19 H. This section shall not be applicable to the following or
20 their lands, properties, buildings, funds or revenue:

- 21 1. The Oklahoma Ordnance Works Authority;
- 22 2. The Commissioners of the Land Office;
- 23 3. The Oklahoma Department of Transportation; and
- 24 4. The Oklahoma Turnpike Authority.

