

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE BILL 1029

By: Thompson (Kristen)

AS INTRODUCED

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.

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

1 subparagraph c of this paragraph, if it is determined
2 by the trustees for the Department's Real Property
3 Trust and by the Department that such a sale is in the
4 best interests of the Department, and then the
5 proceeds shall be used exclusively for tangible
6 infrastructure improvements that benefit the persons
7 served by the Department, otherwise the property shall
8 be held in perpetuity for the sole benefit of the
9 Department,

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

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

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

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

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

4 (4) Land owned by the Department located in Section
5 20 ~~North~~, Township 20 North, Range 13 East and
6 described as PRT NW NW BEG ~~659.68S~~ 659.68 Feet
7 South & ~~310.67E~~ 310.67 Feet East NWC NW ~~TH~~
8 ~~N142.64 NE150 NW140 to PT on SL Mohawk BLVD NE300~~
9 ~~SE187.75 E204.92 to PT 405W EL NW NW S355.89 to~~
10 ~~PT on NL ATLANTA CIRCLE ADD W604.06 POB SEC 20 20~~
11 ~~13 5.168 ACS~~, thence North 142.64 Feet, NE 150
12 Feet, NW 140 Feet to point on South Line Mohawk
13 Blvd, NE 300 Feet, SE 187.75 Feet, East 204.92
14 Feet to point 405 West of East Line NW, thence
15 South 355.89 Feet to point on North Line Atlanta
16 Circle ADD, thence West 604.06 to Point of
17 Beginning, 5.16 acres More or Less in Tulsa
18 County, Oklahoma,

19 (5) Land owned by the Department located in all that
20 part of the North Half of the Northwest Quarter
21 of the Northwest Quarter (N/2 NW1/4 NW1/4) of
22 Section 20 ~~North~~, Township 20 North, Range 13
23 East of the Indian Base and Meridian, Tulsa
24 County, State of Oklahoma, according to the

1 United States Government Survey thereof, being
2 more particularly described as BEGINNING at the
3 Northeast corner of ~~said~~ such NW/4 NW/4; thence
4 West along the North line of ~~said~~ such NW/4, a
5 distance of 405 feet to a point; thence South and
6 parallel to the East line of ~~said~~ such NW/4, a
7 distance of 615.53 feet to a point; thence East
8 and parallel to the North line of ~~said~~ such NW/4,
9 a distance of 405 feet to a point in the East
10 line of ~~said~~ such NW/4 NW/4, and ~~said~~ such point
11 being 615.53 feet South of the Northeast corner
12 of ~~said~~ such NW/4 NW/4; thence North along the
13 East line of ~~said~~ such NW/4 NW/4 a distance of
14 615.53 feet to a Point and Place of the
15 Beginning, ~~and~~

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

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

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

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

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

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

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