

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 SENATE BILL 156

By: Garrison

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5
6 AS INTRODUCED

7 An Act relating to state property; amending Section
8 2, Chapter 209, O.S.L. 2013, as amended by Section 1,
9 Chapter 286, O.S.L. 2014 (74 O.S. Supp. 2014, Section
10 61.8), which relates to property owned and leased by
11 the state; exempting the Oklahoma School for the
12 Blind and the Oklahoma School for the Deaf from
13 certain requirements; providing an effective date;
14 and declaring an emergency.

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

16 SECTION 1. AMENDATORY Section 2, Chapter 209, O.S.L.
17 2013, as amended by Section 1, Chapter 286, O.S.L. 2014 (74 O.S.
18 Supp. 2014, Section 61.8), is amended to read as follows:

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

B. Each year, the Director of the Office of Management and
Enterprise Services at the direction of the Long-Range Capital

1 Planning Commission, shall take action to approve the privatization
2 of state-owned real property as identified pursuant to the Oklahoma
3 State Government Asset Reduction and Cost Savings Program. Proceeds
4 from the liquidation of real properties shall be deposited into the
5 Maintenance of State Buildings Revolving Fund.

6 C. Prior to entering into or renewing a lease for real
7 property, each state agency, board, commission, and public trust
8 having the State of Oklahoma as a beneficiary shall receive approval
9 for entering into the lease from the Office of Management and
10 Enterprise Services.

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

21 E. Prior to approval or referral pursuant to subsection C or D
22 of this section, the Office of Management and Enterprise Services
23 shall determine if the applicant entity can utilize already existing
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1 state-owned real property as an alternative to leasing non-state-
2 owned real property or purchasing or constructing new real property.

3 F. No state agency, board, commission or public trust having
4 the state as its beneficiary shall transfer any real property owned
5 by the agency, board, commission or trust to any other state agency,
6 board, commission, state beneficiary trust or any public or private
7 entity unless the transfer is first approved by the Long-Range
8 Capital Planning Commission. Any transfer made without the prior
9 approval of the Long-Range Capital Planning Commission as required
10 by this subsection may be reversed by the Long-Range Capital
11 Planning Commission and if a transfer is reversed the agency, board,
12 commission, state beneficiary trust or other state government entity
13 to which the real property has been impermissibly transferred shall
14 take such actions to convey the subject property to the entity from
15 which the asset was acquired not later than thirty (30) days from
16 the date an order for such transfer is entered by the Long-Range
17 Capital Planning Commission. The Commission shall not approve any
18 transfer unless proceeds from the sale shall be deposited within the
19 Maintenance of State Buildings Revolving Fund as established by
20 Section 908 of Title 62 of the Oklahoma Statutes.

21 G. By February 1 of each year, the Office of Management and
22 Enterprise Services shall publish a report for the preceding
23 calendar year listing the parcels of previously state-owned property
24 sold, detailing the reduction in the amount of space leased by the

1 state, describing the source of funds and expenditures from the
2 Maintenance of State Buildings Revolving Fund and showing the manner
3 in which deferred maintenance needs are being met. The report shall
4 be provided to the Governor, Speaker of the House of
5 Representatives, and President Pro Tempore of the Senate and placed
6 on the documents.ok.gov web portal.

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

- 9 1. The Oklahoma Ordnance Works Authority;
- 10 2. The Commissioners of the Land Office;
- 11 3. The Oklahoma Department of Transportation; and
- 12 4. The Oklahoma Turnpike Authority; and
- 13 5. The Oklahoma School for the Blind and the Oklahoma School
14 for the Deaf.

15 I. The Director of the Office of Management and Enterprise
16 Services may make recommendations to the Long-Range Capital Planning
17 Commission for liquidation of underutilized properties that have
18 environmental issues, create a liability for the state, or create
19 expenses that make the continued ownership of the underutilized
20 property undesirable and the property has been offered through two
21 public auctions or sealed bids and no viable bids were received. If
22 the Long-Range Capital Planning Commission approves the liquidation
23 of the property, the Office of Management and Enterprise Services
24 may accept a bid of less than ninety percent (90%) of the appraised

1 value in accordance with Section 327 of Title 61 of the Oklahoma
2 Statutes.

3 SECTION 2. This act shall become effective July 1, 2015.

4 SECTION 3. It being immediately necessary for the preservation
5 of the public peace, health and safety, an emergency is hereby
6 declared to exist, by reason whereof this act shall take effect and
7 be in full force from and after its passage and approval.

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