

1 **SENATE FLOOR VERSION**

2 February 13, 2017

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 417

By: Standridge of the Senate

and

Cleveland of the House

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9 [revenue and taxation - property bid off - effective
10 date]

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

13 SECTION 1. AMENDATORY 68 O.S. 2011, Section 3129, as
14 last amended by Section 1, Chapter 156, O.S.L. 2014 (68 O.S. Supp.
15 2016, Section 3129), is amended to read as follows:

16 Section 3129. A. On the day real estate is advertised for
17 resale, the county treasurer shall offer same for sale at the office
18 of the county treasurer between the hours of eight a.m. and five
19 p.m., the exact hours of each sale to be determined by the local
20 county treasurer, and continue the sale thereafter from day to day
21 between such hours until all of the real estate is sold. The real
22 estate shall be sold at public auction to the highest bidder for
23 cash.

1 B. All property must be sold for a sum not less than two-thirds
2 (2/3) of the assessed value of such real estate as fixed for the
3 current fiscal year, or for the total amount of taxes, penalties,
4 interest and costs due on such property, whichever is the lesser.
5 ~~If~~ On property located within the unincorporated boundaries of the
6 county, if there is no bid equal to or greater than the sum so
7 required, the county treasurer shall bid off the same in the name of
8 the county. All property bid off in the name of the county shall be
9 for the amount of all taxes, penalties, interest and costs due
10 thereon, and the county treasurer shall issue a deed therefor to the
11 board of county commissioners for the use and benefit of the county.
12 On property located within municipal boundaries of the county, if
13 there is no bid equal to or greater than the sum so required, the
14 county treasurer shall bid off the same in the name of the
15 municipality. All property bid off in the name of the municipality
16 shall be for the amount of all taxes, penalties, interest and costs
17 due thereon, and the county treasurer shall issue a deed therefor to
18 the municipality for the use and benefit of the municipality.

19 C. The county treasurers shall provide to the Oklahoma Health
20 Care Authority (OHCA) a list of properties that will be sold at tax
21 resales in their respective counties. Using the information
22 provided, OHCA shall produce a list for each county of properties on
23 which OHCA has liens. The county treasurers shall make the list of
24 properties with OHCA liens available to potential buyers at the tax

1 resales. OHCA shall file a release of the liens on properties that
2 fit the definition of blighted properties as defined in Section 38-
3 101 of Title 11 of the Oklahoma Statutes, in the county records of
4 the county where the property is located upon request of that
5 county's treasurer. The filing of the lien release shall not
6 extinguish the debt owed to OHCA which may be enforced through any
7 legal means available to OHCA.

8 D. The county shall not be liable to the state or any taxing
9 district thereof for any part of the amount for which any property
10 may be sold to such county. All property bid off in the name of the
11 county shall be exempt from ad valorem taxation as long as title is
12 held for the county.

13 E. 1. The county shall not be civilly liable for any
14 environmental problems or conditions on any property which existed
15 on the property prior to the county's involuntary ownership of the
16 property pursuant to this section, or which may result from such
17 environmental problems or conditions on the property. During the
18 period of the county's involuntary ownership of the property, the
19 person or persons who would be legally liable for the environmental
20 problems or conditions on the property but for the county's
21 ownership shall continue to be liable for such environmental
22 problems or conditions.

23 2. In addition, the county shall not be subject to civil
24 liability with regard to any actions taken by the county to

1 remediate any problems or conditions on the property resulting from
2 the environmental problems or conditions if the remedial action is
3 not performed in a reckless or negligent manner.

4 SECTION 2. This act shall become effective November 1, 2017.

5 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT
6 February 13, 2017 - DO PASS AS AMENDED
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