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ENGROSSED HOUSE
BILL NO. 1611

By: Collins of the House
and
Hobson of the Senate

An Act relating to mental health; amending 43A O.S.
1991, Section 2-106, as amended by Section 1,
Chapter 85, O.S.L. 1995 (43A O.S. Supp. 1996,
Section 2-106), which relates to the leasing of
property owned by the Department of Mental Health
and Substance Abuse Services; modifying criteria
for certain leases; and declaring an emergency.

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

SECTION 1. AMENDATORY 43A O.S. 1991, Section 2-106, as
amended by Section 1, Chapter 85, O.S.L. 1995 (43A O.S. Supp. 1996,
Section 2-106), is amended to read as follows:

Section 2-106. The Board of Mental Health and Substance Abuse
Services shall accept, hold in trust and authorize the use of any
grant or devise of land, or any donation or bequest of money, or
other personal property made to the Department of Mental Health and
Substance Abuse Services, or to any institution therein, so long as
the terms of the grant, donation, bequest, gift, or will are carried
out. The Board of Mental Health and Substance Abuse Services may
invest and reinvest any funds and may lease or sell any real or
personal property and invest the proceeds, for the benefit of the

Department or any institution therein unless prevented by the terms of the grant, donation, bequest, gift or will.

The Board may lease any property owned or held in trust to any other state agency, political subdivision, federal agency, county, municipality or a nonprofit organization established for the purpose of providing community-based services or assistance to clients of the mental health system or other persons that would benefit from community-based mental health services, for a period not to exceed ~~ten (10)~~ fifty (50) years. ~~Any lease in effect at the time of the effective date of this provision may be amended to extend the lease to a ten-year term.~~ An original lease may be for a period not to exceed ten (10) years with up to four ten-year options. Any lease entered into pursuant to these provisions shall be ~~governed by the provisions of the Interlocal Cooperation Act, Section 1001 et seq. of Title 74 of the Oklahoma Statutes~~ approved by the Office of the Attorney General.

The Board of Mental Health and Substance Abuse Services must annually account to the State Auditor and Inspector for all monies or property received or expended by virtue of this section which account shall state the source of the monies or property received with the actual date of its receipt, the particular use or place for which it was expended, the balance on hand showing the place of deposit of the unexpended balance.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 10th day of March, 1997.

Speaker
of the House of
Representatives

Passed the Senate the ____ day of _____, 1997.

President _____ of the Senate