

STATE OF OKLAHOMA

1st Session of the 49th Legislature (2003)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1431

By: Plunk

COMMITTEE SUBSTITUTE

An Act relating to tourism and recreation; amending Section 9, Chapter 343, O.S.L. 2002 (74 O.S. Supp. 2002, Section 1852.3), which relates to the sale of land within Texoma State Park; providing an exception for certain property; authorizing the Oklahoma Tourism and Recreation Commission to request the Department of Central Services to sale Texoma Lodge; requiring the transfer of existing easements, reservations and interests; providing for deposit of monies; allowing for the payment of certain expenses; specifying use of funds; providing an exception to certain provisions; providing for codification; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 9, Chapter 343, O.S.L. 2002 (74 O.S. Supp. 2002, Section 1852.3), is amended to read as follows:

Section 1852.3 A. ~~The~~ Except for the real estate and personal property authorized for sale as provided for in Section 2 of this act, the Oklahoma Tourism and Recreation Commission is authorized to sell real estate and personal property owned or acquired by the State of Oklahoma or the Oklahoma Tourism and Recreation Department, now or in the future, and under the jurisdiction of the Commission located within Marshall County and situated within Texoma State Park.

B. The sale of real estate and personal property authorized pursuant to subsection A of this section shall be subject to all existing easements and reservations of record. The Commission or

Department shall transfer any interests held, including but not limited to licenses, operating permits and leasehold interests to a subsequent purchaser.

C. The Commission and Department shall utilize the procedure pursuant to Section 129.4 of Title 74 of the Oklahoma Statutes for such sale; provided, however, all monies received from the sale of these properties, except those monies necessary to pay the expenses incurred pursuant to the sale, shall be deposited in the Oklahoma Tourism and Recreation Department Revolving Fund 215 ("215 Fund"). Revenue derived from such real estate and personal property sale deposited to the fund shall be utilized for the benefit of the state park system. Such real estate and personal property sale shall not be subject to the provisions of Section 456.7 of Title 74 of the Oklahoma Statutes.

D. For every developed acre of land containing recreational vehicle campgrounds and other campgrounds that is sold pursuant to this section, an equivalent amount of replacement land shall be selected by the Oklahoma Tourism and Recreation Department in a suitable area at Lake Texoma or in the vicinity, and developed to provide comparable outdoor public recreation facilities for operation as part of the Oklahoma state park system.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1852.4 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. By July 1, 2003, the Oklahoma Tourism and Recreation Commission may request, in writing, the Department of Central Service to sell Texoma Lodge and any real estate and personal property owned or acquired by the State of Oklahoma or the Oklahoma Tourism and Recreation Department and under the jurisdiction of the Commission associated with the Lodge and situated within Texoma State Park.

B. The sale of Texoma Lodge and any associated real estate and personal property authorized pursuant to subsection A of this section shall be subject to all existing easements and reservations of record. The Commission or Department shall transfer any interests held, including but not limited to licenses, operating permits, and leasehold interests to a subsequent purchaser.

C. All monies received from the sale of Texoma Lodge and any associated real estate and personal property, except those monies necessary to pay expenses incurred by the Department of Central Services and the Commission pursuant to the sale, shall be deposited in the Oklahoma Tourism and Recreation Department Revolving Fund 215 ("215 Fund"). Revenue derived from the sale deposited in the Fund shall be utilized for the benefit of the state park system. The sale of Texoma Lodge and any associated real estate and personal property shall not be subject to the provisions of Sections 129.4 and 456.7 of Title 74 of the Oklahoma Statutes.

SECTION 3. 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.

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