

ENGROSSED HOUSE
BILL NO. 1431

By: Plunk and Worthen of the
House

and

Wilkerson of the Senate

(tourism and recreation - amending 74 O.S., Section
1852.3 - sale of land - Texoma Lodge - expenses -
exception - codification -
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 Services 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.

Passed the House of Representatives the 4th day of March, 2003.

Presiding Officer of the House of
Representatives

Passed the Senate the ____ day of _____, 2003.

Presiding Officer of the Senate