

3 Senate Bill No. 635
4 As Amended

5 SENATE BILL NO. 635 - By: FISHER of the Senate and PETERS of the
6 House.

7 [poor persons - facilities - Department of Human Services -
8 lease-purchase agreements - effective date]

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

10 SECTION 1. AMENDATORY 56 O.S. 2001, Section 189a, is
11 amended to read as follows:

12 Section 189a. A. 1. The board of county commissioners in each
13 county shall furnish quarters for the local units of the Oklahoma
14 Department of Human Services. Such quarters shall be located in the
15 county courthouse or other suitable building in the county seat and
16 shall be furnished with light, heat and water and adequate toilet
17 facilities. The county excise board shall provide adequate
18 appropriations to enable the county commissioners to comply with the
19 provisions of this subsection.

20 2. If no suitable quarters or adequate facilities are available
21 in the county courthouse or in the county seat, facilities shall be
22 furnished and supplied in the city or town in the county, but not
23 the county seat thereof, having the greatest population.

1 3. The Department may enter into an agreement with the board of
2 county commissioners for financial participation, by the Department,
3 in the payment of rent on space leased for use by the Department, or
4 in the cost of repairs of buildings or space used by the Department,
5 or the cost of janitorial services and utility services, if the
6 Oklahoma Commission for Human Services determines that such payment
7 is necessary for adequate space for units of the Department and that
8 monies for such purpose are available without detriment to programs
9 administered by the Department.

10 B. 1. If the Commission for Human Services determines that
11 adequate or suitable quarters, office space or facilities for the
12 local units of the Department are not obtainable, the Department may
13 enter into an agreement with the board of county commissioners of
14 the county, or with any state agency or public trust, for the
15 construction or renovation of a building or buildings where local
16 units of the Department may have quarters, office space or
17 facilities; or may enter into a lease agreement for the rental of
18 space and facilities in a building or buildings constructed or
19 renovated by the county, or a state agency, public trust or building
20 authority, for the purpose of providing office space to the
21 Department or any other public agency or agencies.

22 2. The Department shall not enter into any agreement under the
23 provisions of this subsection unless federal financial participation

1 is obtainable. All such agreements shall contain provisions as to
2 financial participation therein by the parties to the agreement,
3 payments to be made for the use or occupancy of the office space and
4 facilities, and ownership of the building or buildings after payment
5 of the cost of construction or renovation thereof has been
6 completed, consistent with the requirements necessary for the
7 Department to obtain or receive federal funds for such purpose.

8 C. If the Commission for Human Services determines that
9 adequate or suitable quarters, office space or facilities for local
10 units of the Department are not obtainable from the board of county
11 commissioners of the county, or from any state agency or public
12 trust or building authority pursuant to the provisions of subsection
13 B of this section, the Commission may enter into a lease agreement
14 for the rental of space and facilities in a building or buildings
15 owned or operated by a private vendor for the purpose of providing
16 such quarters, office space or facilities.

17 D. The Commission for Human Services is authorized to enter
18 into agreements necessary to establish and determine the location of
19 a North Tulsa field office if the Commission determines that state
20 office space available through the Department of Central Services in
21 Tulsa County is not appropriate and adequate to offer accessible and
22 comprehensive services to clients of the Department of Human

1 Services from North Tulsa County and Southern Osage County
2 communities.

3 E. If the Commission for Human Services determines that
4 adequate or suitable quarters, office space or facilities for local
5 units of the Department are not obtainable by lease agreement from
6 the board of county commissioners of the county, from any state
7 agency or public trust or building authority, or from a private
8 vendor, the Commission for Human Services may acquire real property
9 for such local units by lease-purchase agreement. ~~Any such lease-~~
10 ~~purchase shall be explicitly authorized by the Legislature by~~
11 ~~concurrent resolution, or by legislation enacted for the purpose of~~
12 ~~authorizing the Commission for Human Services~~ The Department is
13 further authorized to enter into ~~such~~ lease-purchase agreements.
14 ~~Legislative authorization shall constitute legal authorization for~~
15 ~~this state to enter into such lease-purchase agreements~~ to construct
16 or renovate adequate or suitable quarters, office space or
17 facilities needed by the Department. Local units of the Department
18 shall be exempt from the provisions of the Oklahoma Art in Public
19 Places Act.

20 SECTION 2. REPEALER Section 3, Chapter 278, O.S.L. 2001,
21 is hereby repealed.

22 SECTION 3. This act shall become effective November 1, 2005.

23 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 2-23-05 - DO
24 PASS, As Amended and Coauthored.