

SB 1631

THE STATE SENATE
Monday, February 22, 2010

Senate Bill No. 1631
As Amended

SENATE BILL NO. 1631 - By: Mazzei and Newberry of the Senate and
McDaniel (Randy) and Jordan of the House.

[public trusts - authorized activities of municipalities
and counties -
emergency]

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

SECTION 1. AMENDATORY 60 O.S. 2001, Section 178.4, as
amended by Section 4, Chapter 386, O.S.L. 2003 (60 O.S. Supp. 2009,
Section 178.4), is amended to read as follows:

Section 178.4 A. Trusts created under the provisions of
Sections 176 through 180.55 of this title or any amendments or
extensions thereof shall not include any trust purpose, function nor
activity: ~~in any wholesale outlet, unless said wholesale outlet is
a direct part of the industry. Provided, however, that in the
distribution centers for intoxicating beverages and low-point beer
as defined in Title 37 of the Oklahoma Statutes shall not qualify
under the provisions of this title; nor shall it include a retail
outlet unless said retail outlet is operated in conjunction with and
on the same premises as the industrial, manufacturing, cultural,
recreational, parking, transportation or airport facility or
international trade processing center; nor shall it include a~~

1 residential enterprise or function except as provided in Section
2 178.6 of this title.

3 B. Nothing in this section shall preclude the financing,
4 construction, ownership or leasing of a warehouse as a permissible
5 trust purpose, function or activity, so long as such warehouse is
6 not used directly or indirectly for housing, storage or distribution
7 of intoxicating beverages or low-point beer.

8 SECTION 2. AMENDATORY 62 O.S. 2001, Section 652, is
9 amended to read as follows:

10 Section 652. Any municipality and any county is hereby
11 authorized to own, acquire, construct, reconstruct, extend, equip,
12 improve, maintain, sell, lease, contract concerning, or otherwise
13 deal in or dispose of any lands, buildings, or facilities of any and
14 every nature whatever that can be used in securing or developing
15 industry within or near the municipality or county. Industry as
16 referred to herein shall not include any trust purpose, function nor
17 activity: ~~in any wholesale outlet, unless said wholesale outlet is~~
18 ~~located on the same premises with and is a direct part of the~~
19 ~~industry; nor shall it include a retail outlet unless said retail~~
20 ~~outlet is operated in conjunction with and on the same premises as~~
21 ~~the industrial, manufacturing, cultural, recreational, parking,~~
22 ~~transportation or airport facility; nor shall it include a in any~~

1 residential enterprise or function except as provided in ~~Section 13~~
2 ~~hereof~~ Section 178.6 of Title 60 of the Oklahoma Statutes.

3 SECTION 3. It being immediately necessary for the preservation
4 of the public peace, health and safety, an emergency is hereby
5 declared to exist, by reason whereof this act shall take effect and
6 be in full force from and after its passage and approval.

7 COMMITTEE REPORT BY: COMMITTEE ON FINANCE, dated 2-16-10 - DO PASS,
8 As Amended and Coauthored.