

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 SENATE BILL 1631

By: Mazzei

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5  
6 AS INTRODUCED

7 An Act relating to public trusts; amending 60 O.S.  
8 2001, Section 178.4, as amended by Section 4, Chapter  
9 386, O.S.L. 2003 (60 O.S. Supp. 2009, Section 178.4);  
10 which relates to certain public trust purposes;  
11 modifying purposes; amending 62 O.S. 2001, Section  
12 652, which relates to authorized activities of  
13 municipalities and counties; modifying authority; and  
14 declaring an emergency.

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

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

19 Section 178.4 A. Trusts created under the provisions of  
20 Sections 176 through 180.55 of this title or any amendments or  
21 extensions thereof shall not include any trust purpose, function nor  
22 activity: ~~in any wholesale outlet, unless said wholesale outlet is~~  
23 ~~a direct part of the industry. Provided, however, that in the~~  
24 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~~

1 ~~outlet unless said retail outlet is operated in conjunction with and~~  
2 ~~on the same premises as the industrial, manufacturing, cultural,~~  
3 ~~recreational, parking, transportation or airport facility or~~  
4 ~~international trade processing center; nor shall it include a~~  
5 residential enterprise or function except as provided in Section  
6 178.6 of this title.

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

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

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

1 ~~the industrial, manufacturing, cultural, recreational, parking,~~  
2 ~~transportation or airport facility; nor shall it include a in any~~  
3 residential enterprise or function except as provided in ~~Section 13~~  
4 ~~hereof~~ Section 178.6 of Title 60 of the Oklahoma Statutes.

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

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