HOUSE OF REPRESENTATIVES - FLOOR VERSION

STATE OF OKLAHOMA

2nd Session of the 53rd Legislature (2012)

HOUSE BILL 2373 By: Sanders of the House

and

Ballenger of the Senate

AS INTRODUCED

An Act relating to counties and county officers; amending 19 O.S. 2011, Section 349, which relates to county commissioners; authorizing county commissioners to execute certain deeds for certain property; and providing an effective date.

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

SECTION 1. AMENDATORY 19 O.S. 2011, Section 349, is amended to read as follows:

Section 349. A. The county commissioners of counties of the State of Oklahoma are hereby authorized and empowered to execute offers to convey lands and to execute deeds of conveyance on such lands as are owned by such counties, acquired through gift, purchase, condemnation or tax resale, and no longer needed for county purposes, to the United States of America or the state or any

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political subdivision, public trust of which the county is the beneficiary, community action agency, or council of governments within the county, for a consideration to be determined by such commissioners, to aid the United States of America or the state or any political subdivision, public trust of which the county is the beneficiary, community action agency, or council of governments within the county in the acquisition of such lands by purchase, condemnation or otherwise, required for sites for forest reserves, game preserves, national parks, irrigation or drainage projects, or for needful public buildings, and for any other purpose for the United States Government or the state or any political subdivision, public trust of which the county is the beneficiary, community action agency, or council of governments within the county. Conveyances of like character heretofore made to the United States Government or the state or any political subdivision, public trust of which the county is the beneficiary, community action agency, or council of governments within the county, are in all things hereby ratified, confirmed and legalized.

B. The county commissioners of counties of the State of Oklahoma are hereby authorized and empowered to execute deeds of conveyance of such lands as are owned by the counties within the corporate limits of any city or town providing such lands are deemed by the county commissioners of the county to be surplus to the needs

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of the county. Any such lands so conveyed may be used by such city or town for any purpose authorized by law or conveyed by such city or town in any manner authorized by law. Neither the county nor the city or town, in any such transaction, shall be liable for any liens or encumbrances upon said property; however, any such liens or encumbrances shall remain attached to said property until satisfied, discharged or expired by operation of law.

C. The county commissioners of counties of this state are hereby authorized and empowered to gift, transfer, or assign and execute the deeds of conveyance of lands that are owned by the counties to nonprofit organizations to be used for the purpose of affordable housing construction if:

1. The land is no longer needed for county purposes to be determined at a public hearing by a vote of the majority of the commissioners;

2. The nonprofit organization has experience in affordable housing construction, and has a history of reputable service; and

3. A county officer or employee of a county does not have or acquire a personal interest as may exist with a nonprofit organization, whether direct or indirect, in any land transaction authorized by this subsection.

D. If a nonprofit organization does not begin construction within two (2) years from the receipt of the land from a county as

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authorized by this section, the land shall revert back to the county.

E. The county commissioners of counties of the State of Oklahoma are herby authorized and empowered to execute deeds of conveyance of any county lands acquired at tax resale to the Oklahoma Health Care Authority if the Oklahoma Health Care Authority has liens on the land. If the Oklahoma Health Care Authority does not wish to receive lands, the Oklahoma Health Care Authority shall file a release of the lien in the county records of the county in which the lands are located upon request of the county treasurer of the county where the lands are located.

SECTION 2. This act shall become effective November 1, 2012.

COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT, dated 02/16/2012 - DO PASS, As Coauthored.

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