

1 B. No later than December 31 of each year, the Director of the
2 Central Services Division of the Office of State Finance shall
3 publish a comprehensive report detailing state-owned properties.

4 C. The report mandated in accordance with the provisions of
5 this section shall list the five percent (5%) most underutilized
6 state-owned properties, shall include an inventory of unused and
7 underused state-owned properties. ~~The report shall describe and~~
8 shall:

9 1. Describe the value of such properties ~~falling within the~~
10 ~~description in this subsection, assess;~~

11 2. Assess the potential for purchase should the properties be
12 offered for sale ~~and describe;~~

13 3. Assess the potential for transfer of such properties to
14 another state agency or for the use of such properties by another
15 state agency;

16 4. Describe the impact of sales of such properties on local-
17 level tax rolls in the event the properties are purchased by a
18 nongovernmental entity; and

19 5. Include a recommendation for sale or transfer of unused or
20 underused properties if the Director determines that such action
21 would be in the best interests of the state.

22 D. ~~The Director of Central Services~~ Office of State Finance
23 shall promulgate rules establishing procedures by which each state
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1 agency, board, commission and public trust having the State of
2 Oklahoma as a beneficiary shall submit the necessary data to the
3 ~~Department~~ Division of Central Services for the development of this
4 report.

5 E. State agencies, boards, commissions and public trusts having
6 the State of Oklahoma as a beneficiary shall comply with procedures
7 promulgated pursuant to the terms of this section.

8 F. The report and data collected pursuant to this section shall
9 be published as a data feed on the "data.ok.gov" website.

10 SECTION 2. AMENDATORY 74 O.S. 2011, Section 129.4, is
11 amended to read as follows:

12 Section 129.4 A. Unless procedures for state agency
13 transactions to lease or acquire real property, or lease, dispose of
14 or transfer state-owned real property are otherwise provided for by
15 law, no department, board, commission, institution, or agency of
16 this state shall sell, lease, exchange, or otherwise dispose of such
17 real property subject to its jurisdiction except as provided for in
18 this section.

19 B. 1. Every department, board, commission, institution, or
20 agency, or a legislator in whose district the real property is
21 located, shall request the Division of Central Services of the
22 Office of State Finance to dispose of real property, upon:

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- 1 a. legislative authorization to dispose of a parcel of
2 real property ~~or upon,~~
- 3 b. a determination, in writing, by ~~said~~ the department,
4 board, commission, institution, or agency that a
5 parcel of real property subject to its jurisdiction is
6 no longer needed by ~~said~~ the department, board,
7 commission, institution, or agency, ~~shall request the~~
8 ~~Department of Central Services to dispose of said real~~
9 ~~property or~~
- 10 c. a recommendation to sell or transfer real property
11 pursuant to the report required in Section 61.7 of
12 this title.

13 2. Upon notification by the department, board, commission,
14 institution, ~~or agency~~ or legislator to sell a parcel of real
15 property, the ~~Department~~ Division of Central Services shall:

- 16 a. ~~when appropriate,~~ determine whether a study conducted
17 pursuant to Section 456.7 of this title is in the best
18 interest of the state,
- 19 b. obtain three new and complete appraisals on properties
20 with an estimated value that equals or exceeds ~~One~~
21 ~~Million Dollars (\$1,000,000.00); or, two new and~~
22 ~~complete appraisals on properties with an estimated~~
23 ~~value greater than One Hundred Thousand Dollars~~

1 ~~(\$100,000.00) and less than One Million Dollars~~
2 ~~(\$1,000,000.00); or, one new and complete appraisal on~~
3 ~~properties with an estimated value less than One~~
4 ~~Hundred Thousand Dollars (\$100,000.00) Five Hundred~~
5 ~~Thousand Dollars (\$500,000.00).~~ The appraisals shall
6 be made by persons certified by the Real Estate
7 Appraiser Board of the Oklahoma Insurance Department,
8 who shall ascertain:

- 9 (1) the present fair value of the property, and
10 (2) the present value of the improvements on such
11 property; provided, abandoned properties in
12 disrepair or in a vandalized state, or located in
13 a flood plain, shall be deemed to be a liability
14 and an appraisal shall not be required, and
15 ~~(3) the actual condition of the improvements on the~~
16 ~~property,~~

17 c. cause notice of such sale to be published ~~for at least~~
18 ~~one (1) day~~ in a newspaper of general statewide
19 circulation authorized to publish legal notices, and
20 ~~for at least three (3) consecutive weeks~~ in a
21 newspaper of general circulation published in the
22 county or counties in which the property is located,
23 for at least three (3) consecutive weeks. The notice

1 shall contain the legal description of each parcel of
2 real property to be offered for sale, the appraised
3 value thereof, the time and location of the sale or
4 opening of the bids, and terms of the sale including
5 the fact that no parcel of property shall be sold for
6 less than ~~ninety percent (90%)~~ seventy-five percent
7 (75%) of the appraised value of the real property, and

8 d. offer ~~said~~ the property through public auction or
9 sealed bids within three (3) weeks after the last
10 publication of the notice in ~~said~~ the newspapers. The
11 property shall be sold to the highest bidder. ~~The~~
12 ~~Department of Central Services shall not accept a bid~~
13 ~~of less than ninety percent (90%) of the appraised~~
14 ~~fair value of the property and the improvements on~~
15 ~~such property.~~ The ~~Department~~ Division of Central
16 Services is authorized to reject all bids, except on
17 property deemed to be a liability.

18 3. The cost of the appraisements required by the provisions of
19 this section, together with other necessary expenses incurred
20 pursuant to this section, shall be paid by the department, board,
21 commission, institution, or agency for which the real property is to
22 be sold from funds available to said department, board, commission,
23 institution, or agency for such expenditure.

1 4. All monies received from the sale or disposal of ~~said~~ the
2 property, except those monies necessary to pay the expenses incurred
3 pursuant to this section, shall be deposited in the General Revenue
4 Fund; provided, the first Thirty Million Dollars (\$30,000.000.00)
5 shall be deposited in the State Capitol Repair Revolving Fund
6 credited in Section 3 of this act.

7 C. Unless otherwise provided by law, the ~~Department~~ Division of
8 Central Services shall review and approve state agency transactions
9 to lease or acquire real property, or lease, dispose of or transfer
10 state-owned real property. A state agency shall not lease or
11 acquire real property, or lease, dispose of or transfer state-owned
12 real property until the ~~Department~~ Division provides notice of
13 transaction approval to the state agency. Prior to approval, a
14 state agency shall provide documents to the ~~Department~~ Division and
15 provide reference to statutory or other legal authority of the state
16 agency to lease or acquire real property, or lease, dispose of or
17 transfer state-owned real property. If the state agency intends to
18 lease or acquire real property, the state agency shall state the
19 intended use of the real property. Within thirty (30) days of
20 receipt, the ~~Department~~ Division shall provide notice of transaction
21 approval or disapproval to the state agency.

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UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

1 D. The provisions of this section shall not apply to the lease
2 of office space, real property subject to supervision of the
3 Commissioners of the Land Office or district boards of education.

4 E. The ~~Department~~ Division of Central Services shall maintain a
5 comprehensive inventory of state-owned real property and its use
6 excluding property of the public schools and property subject to the
7 jurisdiction of the Commissioners of the Land Office.

8 1. Each state agency shall, within thirty (30) days of the
9 closing date for lands newly acquired, provide to the ~~Department~~
10 Division a list of records, deeds, abstracts and other title
11 instruments showing the description of and relating to any and all
12 such lands or interests therein.

13 2. The provisions of paragraph 1 of this subsection shall apply
14 to all lands of public trusts having a state agency as the primary
15 benefactor, but shall not apply to lands of municipalities,
16 counties, or school districts, ~~or agencies thereof, or Department of~~
17 ~~Transportation rights-of-way.~~

18 3. A state agency that sells or otherwise disposes of land
19 shall notify the ~~Department~~ Division within thirty (30) days of the
20 disposition closing date.

21 F. This section shall not be construed to authorize any
22 department, board, commission, institution, or agency, not otherwise
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1 authorized by law, to sell, lease, or otherwise dispose of any real
2 property owned by the state.

3 G. The ~~Department~~ Division of Central Services may provide
4 services to sell or purchase real property for other state agencies.

5 H. The ~~Director of the Department of Central Services~~ Office of
6 State Finance shall, pursuant to the Administrative Procedures Act,
7 promulgate rules to effect procedures necessary to the fulfillment
8 of its responsibilities under this section.

9 I. The Oklahoma Ordnance Works Authority and its lands, and the
10 Northeast Oklahoma Public Facilities Authority shall be exempt from
11 the application of this section. The Grand River Dam Authority and
12 its lands shall be exempt from the application of this section for
13 any real property disposed of prior to November 1, 2006.

14 J. Unless otherwise provided for by law, the procedures
15 established pursuant to this section for the sale or exchange of
16 real estate or personal property as authorized pursuant to Sections
17 2222 and 2223 of this title shall be followed unless the sale is to
18 an entity of state government.

19 K. The Director of the ~~Department~~ Division of Central Services
20 shall contract with experts, professionals or consultants as
21 necessary to perform the duties of the ~~Department~~ Division.
22 Selections shall be made using the qualifications-based procedures
23 established in Section 62 of Title 61 of the Oklahoma Statutes, and

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1 the rules promulgated by the Director for the selection of
2 construction managers and design consultants.

3 SECTION 3. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 452.16 of Title 74, unless there
5 is created a duplication in numbering, reads as follows:

6 There is hereby created in the State Treasury a revolving fund
7 for the Division of Central Services to be designated the "State
8 Capitol Repair Revolving Fund". The fund shall be a continuing
9 fund, not subject to fiscal year limitations, and shall consist of
10 all monies received by the Division from funds designated for
11 deposit thereto pursuant to the provisions of paragraph 4 of
12 subsection B of Section 129.4 of Title 74 of the Oklahoma Statutes.
13 All monies accruing to the credit of the fund are hereby
14 appropriated and may be budgeted and expended by the Division for
15 the purpose of making expenditures related to repair of the State
16 Capitol. Expenditures from the fund shall be made upon warrants
17 issued by the State Treasurer against claims filed as prescribed by
18 law with the Director of the Office of State Finance for approval
19 and payment.

20 SECTION 4. This act shall become effective November 1, 2012.

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22 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
23 04/12/2012 - DO PASS, As Amended.