ENGROSSED HOUSE
BILL NO. 2831 By: Martin (Scott) of the House

and

Standridge of the Senate

An Act relating to mental health; amending 43A O.S. 2011, Section 2-111, as amended by Section 139, Chapter 304, O.S.L. 2012 (43A O.S. Supp. 2013, Section 2-111), which relates to a real property trust; allowing certain tracts to be sold if certain determination is made; requiring proceeds of sale to be used exclusively for certain purpose; prohibiting sale of real property to fund certain services; and providing an effective date.

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

SECTION 1. AMENDATORY 43A O.S. 2011, Section 2-111, as amended by Section 139, Chapter 304, O.S.L. 2012 (43A O.S. Supp. 2013, Section 2-111), is amended to read as follows:

Section 2-111. A. 1. The Board of Mental Health and Substance Abuse Services is hereby authorized and directed to create a trust into which all real property held by or for the benefit of the Department of Mental Health and Substance Abuse Services shall be transferred.

2. The trust shall provide that:

a. the property placed into the trust may never be sold ~~but~~, except for the tracts specifically described in subparagraph c of this paragraph, if it is determined by the trustees for the Department's Real Property Trust and by the Department that such a sale is in the best interests of the Department, and then the proceeds shall be used exclusively for tangible infrastructure improvements that benefit the persons serviced by the Department, otherwise the property shall be held in perpetuity for the sole benefit of the Department, ~~and~~

b. the property held by the trust which is not needed for use by the Department may be leased or rented to others and all income received from such leases or rentals shall be payable to the Department for use by the Department to fulfill the purposes of the Department,

c. the following tract of land may be sold as set forth in subparagraph a of this paragraph:

Land owned by the Department located in Sections 20 and 29, Township 9 North, Range 2 West, Cleveland County, Oklahoma, and

d. under no condition should any real property held in trust be sold to fund prevention, mental health or addiction treatment services.

B. Upon the creation of the trust authorized in subsection A of this section, the Office of Management and Enterprise Services is directed to provide all necessary assistance to the Department of Mental Health and Substance Abuse Services to identify and transfer all property held by or for the benefit of the Department of Mental Health and Substance Abuse Services to the trust. Except as provided in subsection C of this section, the Office of Management and Enterprise Services is authorized and directed to provide all requested assistance to the Department of Mental Health and Substance Abuse Services in leasing property placed in such trust.

C. The Commissioners of the Land Office are authorized and directed to provide all requested assistance to the Department of Mental Health and Substance Abuse Services in leasing mineral interests placed in such trust.

SECTION 2. This act shall become effective November 1, 2014.

Passed the House of Representatives the 10th day of March, 2014.

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Presiding Officer of the House
of Representatives

Passed the Senate the ___ day of _____, 2014.

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Presiding Officer of the Senate