

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 54th Legislature (2014)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2831

By: Martin (Scott)

7
8 COMMITTEE SUBSTITUTE

9 An Act relating to mental health; amending 43A O.S.
10 2011, Section 2-111, as amended by Section 1, Chapter
11 304, O.S.L. 2012 (43A O.S. Supp. 2013, Section 2-
12 111), which relates to a real property trust;
13 allowing certain tracts to be sold if certain
14 determination is made; requiring proceeds of sale to
15 be used exclusively for certain purpose; prohibiting
16 sale of real property to fund certain services; and
17 providing an effective date.

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

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

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

1 2. The trust shall provide that:

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

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

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

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

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

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

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

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

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20 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC HEALTH, dated 02/26/2014 -
21 DO PASS, As Amended.