

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 HOUSE BILL 1077

By: Sanders

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5
6 AS INTRODUCED

7 An Act relating to revenue and taxation; amending 68
8 O.S. 2011, Section 3129, which relates to tax resale
9 procedures; imposing duty on county treasurers to
10 report information to the Oklahoma Health Care
11 Authority; imposing duty on Oklahoma Health Care
12 Authority to report information to county treasurers;
13 providing for information to be available to certain
14 prospective buyers of real property; imposing duty
15 with respect to release of lien; providing debts owed
16 to Oklahoma Health Care Authority not extinguished by
17 release of lien; providing for enforcement of
18 obligations through certain methods; and providing an
19 effective date.

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

21 SECTION 1. AMENDATORY 68 O.S. 2011, Section 3129, is
22 amended to read as follows:

23 Section 3129. A. On the day real estate is advertised for
24 resale, the county treasurer shall offer same for sale at the office
of the county treasurer between the hours of nine a.m. and four p.m.
and continue the sale thereafter from day to day between such hours
until all of the real estate is sold. The real estate shall be sold
at public auction to the highest bidder for cash.

1 B. All property must be sold for a sum not less than two-thirds
2 of the assessed value of such real estate as fixed for the current
3 fiscal year, or for the total amount of taxes, penalties, interest
4 and costs due on such property, whichever is the lesser. If there
5 is no bid equal to or greater than the sum so required, the county
6 treasurer shall bid off the same in the name of the county. All
7 property bid off in the name of the county shall be for the amount
8 of all taxes, penalties, interest and costs due thereon, and the
9 county treasurer shall issue a deed therefor to the board of county
10 commissioners for the use and benefit of the county.

11 C. The county treasurer of each county of the state shall
12 provide to the Oklahoma Health Care Authority a list of properties
13 that will be sold at tax resales in their respective counties. The
14 Oklahoma Health Care Authority shall provide a list back to each
15 county, based on the list provided to the Authority, of properties
16 to which a lien of the Authority has attached. The county
17 treasurers for each county shall make the list provided by the
18 Authority available to potential buyers at the tax resales who are
19 interested in purchasing property to which a lien of the Oklahoma
20 Health Care Authority has attached. The Authority shall file a
21 release of the liens of properties that fit the definition of
22 blighted properties as defined by Section 38-101 of Title 11 of the
23 Oklahoma Statutes, in the real property records of the county in
24 which the lands are located upon request of that county's treasurer.

1 The filing of the lien release shall not extinguish the debt owed to
2 the Oklahoma Health Care Authority and the lien may be enforced
3 judicially or through any other legal means chosen by the Oklahoma
4 Health Care Authority.

5 D. The county shall not be liable to the state or any taxing
6 district thereof for any part of the amount for which any property
7 may be sold to such county. All property bid off in the name of the
8 county shall be exempt from ad valorem taxation as long as title is
9 held for the county.

10 ~~D.~~ E. 1. The county shall not be civilly liable for any
11 environmental problems or conditions on any property which existed
12 on the property prior to the county's involuntary ownership of the
13 property pursuant to this section, or which may result from such
14 environmental problems or conditions on the property. During the
15 period of the county's involuntary ownership of the property, the
16 person or persons who would be legally liable for the environmental
17 problems or conditions on the property but for the county's
18 ownership shall continue to be liable for such environmental
19 problems or conditions.

20 2. In addition, the county shall not be subject to civil
21 liability with regard to any actions taken by the county to
22 remediate any problems or conditions on the property resulting from
23 the environmental problems or conditions if the remedial action is
24 not performed in a reckless or negligent manner.

1 SECTION 2. This act shall become effective November 1, 2013.

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