

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 3050

By: Murphey

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6 AS INTRODUCED

7 An Act relating to state government; amending Section  
8 2, Chapter 209, O.S.L. 2013 (74 O.S. Supp. 2013,  
9 Section 61.8), which relates to the Long-Range  
10 Capital Planning Commission; restricting certain in-  
11 kind transfers involving real property; authorizing  
Long-Range Capital Planning Commission to order  
reversal of transactions; prescribing procedures;  
providing an effective date; and declaring an  
emergency.

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

15 SECTION 1. AMENDATORY Section 2, Chapter 209, O.S.L.  
16 2013 (74 O.S. Supp. 2013, Section 61.8), is amended to read as  
17 follows:

18 Section 61.8 A. The Long-Range Capital Planning Commission  
19 shall work to decrease the amount of property owned by Oklahoma  
20 state government, return state-owned property to private sector  
21 ownership, better maintain and utilize the state's needed capital  
22 assets and, whenever possible, eliminate the practice of state  
23 agencies leasing real property not owned by the state.

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1 B. Each year, the Director of the Office of Management and  
2 Enterprise Services at the direction of the Long-Range Capital  
3 Planning Commission, shall take action to approve the privatization  
4 of state-owned real property as identified pursuant to the Oklahoma  
5 State Government Asset Reduction and Cost Savings Program. Proceeds  
6 from the liquidation of real properties shall be deposited into the  
7 Maintenance of State Buildings Revolving Fund.

8 C. Prior to entering into or renewing a lease for real  
9 property, each state agency, board, commission, and public trust  
10 having the State of Oklahoma as a beneficiary shall receive approval  
11 for entering into the lease from the Office of Management and  
12 Enterprise Services.

13 D. Prior to making a purchase of real property or constructing  
14 a building, each state agency, board, commission, and public trust  
15 having the State of Oklahoma as a beneficiary shall receive approval  
16 for the purchase or construction from the Director of the Office of  
17 Management and Enterprise Services; provided, if such purchase or  
18 construction is deemed by the Director of the Office of Management  
19 and Enterprise Services to be within the authority of the Long-Range  
20 Capital Planning Commission, the Director shall not approve the  
21 purchase or construction and shall refer the request to the  
22 Commission for action.

23 E. Prior to approval or referral pursuant to subsection C or D  
24 of this section, the Office of Management and Enterprise Services

1 shall determine if the applicant entity can utilize already existing  
2 state-owned real property as an alternative to leasing non-state-  
3 owned real property or purchasing or constructing new real property.

4 F. No state agency, board, commission or public trust having  
5 the state as its beneficiary shall transfer any real property owned  
6 by the agency, board, commission or trust to any other state agency,  
7 board, commission, state beneficiary trust or other state government  
8 entity unless the transfer is first approved by the Long-Range  
9 Capital Planning Commission. Any transfer made without the prior  
10 approval of the Long-Range Capital Planning Commission as required  
11 by this subsection may be reversed by the Long-Range Capital  
12 Planning Commission and if a transfer is reversed the agency, board,  
13 commission, state beneficiary trust or other state government entity  
14 to which the real property has been impermissibly transferred shall  
15 take such actions to convey the subject property to the entity from  
16 which the asset was acquired not later than thirty (30) days from  
17 the date of an order for such transfer is entered by the Long-Range  
18 Capital Planning Commission.

19 G. By February 1 of each year, the Office of Management and  
20 Enterprise Services shall publish a report for the preceding  
21 calendar year listing the parcels of previously state-owned property  
22 sold, detailing the reduction in the amount of space leased by the  
23 state, describing the source of funds and expenditures from the  
24 Maintenance of State Buildings Revolving Fund and showing the manner

1 in which deferred maintenance needs are being met. The report shall  
2 be provided to the Governor, Speaker of the House of  
3 Representatives, President Pro Tempore of the Senate and placed on  
4 the *documents.ok.gov* web portal.

5 ~~G.~~ H. This section shall not be applicable to the following or  
6 their lands, properties, buildings, funds or revenue:

- 7 1. The Oklahoma Ordnance Works Authority; and
- 8 2. The Commissioners of the Land Office.

9 SECTION 2. This act shall become effective July 1, 2014.

10 SECTION 3. It being immediately necessary for the preservation  
11 of the public peace, health and safety, an emergency is hereby  
12 declared to exist, by reason whereof this act shall take effect and  
13 be in full force from and after its passage and approval.

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