

1 STATE OF OKLAHOMA

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

3 SENATE BILL SB292

By: Crain

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6 AS INTRODUCED

7 An Act relating to property; amending 68 O.S. 2011,  
8 Section 3129, which relates to property tax resales;  
9 requiring county treasurers to provide certain list  
10 of property resales to the Oklahoma Health Care  
11 Authority; requiring OHCA to produce certain list of  
12 property with OHCA liens; providing for information  
13 to be released to the public; authorizing release of  
14 certain liens on blighted property; and providing an  
15 effective date.

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

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

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

B. All property must be sold for a sum not less than two-thirds  
of the assessed value of such real estate as fixed for the current

1 fiscal year, or for the total amount of taxes, penalties, interest  
2 and costs due on such property, whichever is the lesser. If there  
3 is no bid equal to or greater than the sum so required, the county  
4 treasurer shall bid off the same in the name of the county. All  
5 property bid off in the name of the county shall be for the amount  
6 of all taxes, penalties, interest and costs due thereon, and the  
7 county treasurer shall issue a deed therefor to the board of county  
8 commissioners for the use and benefit of the county.

9 C. The county treasurers shall provide to the Oklahoma Health  
10 Care Authority (OHCA) a list of properties that will be sold at tax  
11 resales in their respective counties. Using the information  
12 provided, OHCA shall produce a list for each county of properties on  
13 which OHCA has liens. The county treasurers shall make the list of  
14 properties with OHCA liens available to potential buyers at the tax  
15 resales. OHCA shall file a release of the liens on properties that  
16 fit the definition of blighted properties as defined in Section 38-  
17 101 of Title 11 of the Oklahoma Statutes, in the county records of  
18 the county where the property is located upon request of that  
19 county's treasurer. The filing of the lien release shall not  
20 extinguish the debt owed to OHCA which may be enforced through any  
21 legal means available to OHCA.

22 D. The county shall not be liable to the state or any taxing  
23 district thereof for any part of the amount for which any property  
24 may be sold to such county. All property bid off in the name of the

1 county shall be exempt from ad valorem taxation as long as title is  
2 held for the county.

3 ~~D.~~ E. 1. The county shall not be civilly liable for any  
4 environmental problems or conditions on any property which existed  
5 on the property prior to the county's involuntary ownership of the  
6 property pursuant to this section, or which may result from such  
7 environmental problems or conditions on the property. During the  
8 period of the county's involuntary ownership of the property, the  
9 person or persons who would be legally liable for the environmental  
10 problems or conditions on the property but for the county's  
11 ownership shall continue to be liable for such environmental  
12 problems or conditions.

13 2. In addition, the county shall not be subject to civil  
14 liability with regard to any actions taken by the county to  
15 remediate any problems or conditions on the property resulting from  
16 the environmental problems or conditions if the remedial action is  
17 not performed in a reckless or negligent manner.

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

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20 54-1-340 MJM 1/14/2013 11:44:40 AM

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