

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 56th Legislature (2017)

4 HOUSE BILL 1696

By: Martin

6 AS INTRODUCED

7 An Act relating to mental health; amending 43A O.S.
8 2011, Section 2-111, as last amended by Section 1,
9 Chapter 178, O.S.L. 2014 (43A O.S. Supp. 2016,
10 Section 2-111), which relates to a real property
11 trust; providing certain exception; allowing certain
12 tracts to be sold if certain determination is made;
13 and providing an effective date.

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

14 SECTION 1. AMENDATORY 43A O.S. 2011, Section 2-111, as
15 last amended by Section 1, Chapter 178, O.S.L. 2014 (43A O.S. Supp.
16 2016, Section 2-111), is amended to read as follows:

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

22 2. The trust shall provide that:

23 a. the property placed into the trust may never be sold,
24 except for the tracts specifically described in

1 subparagraph c of this paragraph, if it is determined
2 by the trustees for the Department's Real Property
3 Trust and by the Department that such a sale is in the
4 best interests of the Department, and then the
5 proceeds shall be used exclusively for tangible
6 infrastructure improvements that benefit the persons
7 ~~serviced~~ served by the Department, otherwise the
8 property shall be held in perpetuity for the sole
9 benefit of the Department,

10 b. the property held by the trust which is not needed for
11 use by the Department may be leased or rented to
12 others and all income received from such leases or
13 rentals shall be payable to the Department for use by
14 the Department to fulfill the purposes of the
15 Department, except as provided in subparagraph d of
16 this section,

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

19 (1) Land owned by the Department located in Sections
20 20 and 29, Township 9 North, Range 2 West,
21 Cleveland County, Oklahoma, ~~and~~

22 (2) Land owned by the Department located in Block 5
23 of Culbertson Heights Addition to the City of
24 Oklahoma City, Oklahoma County, Oklahoma, and

1 (3) Land owned by the Department located in Section
2 27, Township 9 North, Range 2 West, Cleveland
3 County, Oklahoma, and

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

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

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

21 SECTION 2. This act shall become effective November 1, 2017.

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23 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
24 02/28/2017 - DO PASS.