

1 ENGROSSED HOUSE
2 BILL NO. 4367

By: Patzkowsky and Hill of the
House

3 and

4 Pederson of the Senate

5
6
7 [state government - modifying surplus property
8 requirements for the Oklahoma Department of
9 Transportation - effective date]
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12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 74 O.S. 2021, Section 62.3, is
14 amended to read as follows:

15 Section 62.3 A. The Director of the Office of Management and
16 Enterprise Services shall promulgate rules for use by state agencies
17 and the Office of Management and Enterprise Services to dispose of
18 surplus property. The rules shall include standards for
19 recordkeeping, methods for removal or disposal of surplus property,
20 and acquisition by state agencies and authorized entities of surplus
21 property, and for Office management of surplus property programs.

22 B. A state agency selling, trading, redistributing or otherwise
23 disposing of surplus property shall comply with the rules
24 promulgated by the Director.

1 C. The Office shall make surplus property available to state
2 agencies and authorized entities, which shall include political
3 subdivisions, school districts, and nonprofit entities of this
4 state.

5 D. The provisions of the Oklahoma Surplus Property Act shall
6 not apply to the Oklahoma Department of Transportation, institutions
7 of higher education in this state, the Oklahoma Historical Society,
8 the University Hospitals Authority or University Hospitals Trust or
9 the Northeast Oklahoma Public Facilities Authority. The Grand River
10 Dam Authority shall be exempt from the provisions of the Oklahoma
11 Surplus Property Act for any surplus property disposed of prior to
12 November 1, 2006. CompSource Oklahoma shall be exempt from the
13 provisions of the Oklahoma Surplus Property Act if CompSource
14 Oklahoma is operating pursuant to a pilot program authorized by
15 Sections 3316 and 3317 of this title.

16 E. Notwithstanding the provisions of the Oklahoma Surplus
17 Property Act, the Oklahoma State Bureau of Investigation may,
18 pursuant to rules promulgated by the Oklahoma State Bureau of
19 Investigation Commission for that purpose, donate any surplus
20 property, as defined in Section 62.2 of this title, to any law
21 enforcement agency of any political subdivision of the State of
22 Oklahoma. The use of such donated equipment shall be limited to
23 valid and authorized law enforcement efforts by the receiving
24 agency.

SECTION 2. AMENDATORY 74 O.S. 2021, Section 62.7, is amended to read as follows:

Section 62.7 A. When the Department of Transportation determines that any equipment or vehicle becomes excess, obsolete, antiquated, unused or otherwise surplus, the Department ~~shall notify the Office of Management and Enterprise Services in writing that such equipment or vehicle is surplus. The notice shall identify~~ may engage a third-party vendor to auction such surplus items. The following information shall be provided to the vendor:

1. The type, brand or make, and country of manufacture of the equipment or vehicle;

2. The age of the equipment or vehicle including, but not limited to, mileage;

3. Whether the equipment or vehicle is in good working condition or not;

4. If the equipment or vehicle is not in good working condition, whether it is in repairable condition at reasonable cost;

5. Original cost of the equipment or vehicle; and

6. Present value of the equipment or vehicle, if known.

B. ~~The Office of Management and Enterprise Services, with any other notice of surplus property, shall notify the eligible individuals or entities as provided in subsection C of this section of the availability of the surplus property of the Department of Transportation.~~

~~C.~~ Prior to any advertised public auction or advertised sealed bids to all individuals and entities eligible for participation in the surplus program, the ~~Office~~ vendor, thirty (30) days prior to the advertised auction date, shall offer, at fair market value, the equipment or vehicles to the individuals or entities, in the following order of priority:

1. Other state agencies;
2. Political subdivisions of the state;
3. Rural fire departments located in this state;
4. Rural water districts located in this state; and
5. Multipurpose senior citizen centers located in this state.

~~D.~~ C. Any equipment or vehicles purchased pursuant to this section shall be made available to the purchaser on the date of purchase.

SECTION 3. This act shall become effective November 1, 2022.

Passed the House of Representatives the 22nd day of March, 2022.

Presiding Officer of the House
of Representatives

Passed the Senate the day of , 2022.

Presiding Officer of the Senate