

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               1st Session of the 59th Legislature (2023)

4   COMMITTEE SUBSTITUTE  
5   FOR ENGROSSED  
6   SENATE BILL NO. 1029

By: Thompson (Kristen) of the  
Senate

and

Roe of the House

10                               COMMITTEE SUBSTITUTE

11           An Act relating to the Department of Mental Health  
12           and Substance Abuse Services; amending 43A O.S. 2021,  
13           Section 2-111, as amended by Section 1, Chapter 267,  
14           O.S.L. 2022 (43A O.S. Supp. 2022, Section 2-111),  
15           which relates to real property trust; authorizing  
16           sale of certain land; clarifying terminology; and  
17           providing an effective date.

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

18           SECTION 1.           AMENDATORY           43A O.S. 2021, Section 2-111, as  
19           amended by Section 1, Chapter 267, O.S.L. 2022 (43A O.S. Supp. 2022,  
20           Section 2-111), is amended to read as follows:

21           Section 2-111.   A.   1.   The Board of Mental Health and Substance  
22           Abuse Services is hereby authorized and directed to create a trust  
23           into which all real property held by or for the benefit of the  
24

1 Department of Mental Health and Substance Abuse Services shall be  
2 transferred.

3 2. The trust shall provide that:

- 4 a. the property placed into the trust may never be sold,  
5 except for the tracts specifically described in  
6 subparagraph c of this paragraph, if it is determined  
7 by the trustees for the Department's Real Property  
8 Trust and by the Department that such a sale is in the  
9 best interests of the Department, and then the  
10 proceeds shall be used exclusively for tangible  
11 infrastructure improvements that benefit the persons  
12 served by the Department<sup>7</sup>. The provisions of 61 O.S.  
13 Section 327 do not apply to the sale of real property  
14 under this section, otherwise the property shall be  
15 held in perpetuity for the sole benefit of the  
16 Department,
- 17 b. the property held by the trust which is not needed for  
18 use by the Department may be leased or rented to  
19 others and all income received from such leases or  
20 rentals shall be payable to the Department for use by  
21 the Department to fulfill the purposes of the  
22 Department, except as provided in subparagraph d of  
23 this section,  
24

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

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

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

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

(4) Land owned by the Department located in Section 20 ~~North~~, Township 20 North, Range 13 East and described as PRT NW NW BEG ~~659.68S~~ 659.68 Feet South & ~~310.67E~~ 310.67 Feet East NWC NW ~~TH~~ ~~N142.64 NE150 NW140 to PT on SL Mohawk BLVD NE300 SE187.75 E204.92 to PT 405W EL NW NW S355.89 to PT on NL ATLANTA CIRCLE ADD W604.06 POB SEC 20 20 13 5.168 ACS~~, thence North 142.64 Feet, NE 150 Feet, NW 140 Feet to point on South Line Mohawk Blvd, NE 300 Feet, SE 187.75 Feet, East 204.92 Feet to point 405 West of East Line NW, thence South 355.89 Feet to point on North Line Atlanta Circle ADD, thence West 604.06 to Point of

Beginning, 5.16 acres More or Less in Tulsa  
County, Oklahoma,

- (5) Land owned by the Department located in all that part of the North Half of the Northwest Quarter of the Northwest Quarter (N/2 NW1/4 NW1/4) of Section 20 ~~North~~, Township 20 North, Range 13 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof, being more particularly described as BEGINNING at the Northeast corner of ~~said~~ such NW/4 NW/4; thence West along the North line of ~~said~~ such NW/4, a distance of 405 feet to a point; thence South and parallel to the East line of ~~said~~ such NW/4, a distance of 615.53 feet to a point; thence East and parallel to the North line of ~~said~~ such NW/4, a distance of 405 feet to a point in the East line of ~~said~~ such NW/4 NW/4, and ~~said~~ such point being 615.53 feet South of the Northeast corner of ~~said~~ such NW/4 NW/4; thence North along the East line of ~~said~~ such NW/4 NW/4 a distance of 615.53 feet to a Point and Place of the Beginning, and

1 (6) Land owned by the Department located in Lots 13  
2 through 24, Inclusive Block 5 and Bath Orchard  
3 Addition to Oklahoma City, SE 1/4 of Section 26,  
4 Township 12 North, Range 3 West, and

5 (7) Land owned by the Department located in a portion  
6 of Block 2 in Warr Acres, Oklahoma and described  
7 as SE 1/4, SE 1/4 of Section 9, Township 12  
8 North, Range 4 West, and

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

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

22 C. The Commissioners of the Land Office are authorized and  
23 directed to provide all requested assistance to the Department of  
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1 Mental Health and Substance Abuse Services in leasing mineral  
2 interests placed in such trust.

3 SECTION 2. This act shall become effective November 1, 2023.

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5 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated  
6 04/13/2023 - DO PASS, As Amended.

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