

An Act

ENROLLED SENATE
BILL NO. 36

By: Bergstrom of the Senate

and

West (Josh) of the House

An Act relating to state government; amending 74 O.S. 2021, Section 61.8, which relates to the Long-Range Capital Planning Commission; exempting certain entity from certain land and property requirements; updating statutory language; and declaring an emergency.

SUBJECT: Long-Range Capital Planning Commission exemption

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

SECTION 1. AMENDATORY 74 O.S. 2021, Section 61.8, is amended to read as follows:

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

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

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

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

E. Prior to approval or referral pursuant to subsection C or D of this section, the Office of Management and Enterprise Services shall determine if the applicant entity can utilize already existing state-owned real property as an alternative to leasing non-state-owned real property or purchasing or constructing new real property. If such existing state-owned real property is owned by the Oklahoma Historical Society, is listed on the National Register of Historic Places or with the National Trust for Historic Preservation, or is potentially of historical significance, the Office of Management and Enterprise Services shall notify the Oklahoma Historical Society and obtain its approval prior to approving an application for its reuse.

F. No state agency, board, commission, or public trust having the state as its beneficiary shall transfer any real property owned by the agency, board, commission, or trust to any other state agency, board, commission, state beneficiary trust, or any public or private entity unless the transfer is first approved by the Long-Range Capital Planning Commission. Any transfer made without the prior approval of the Long-Range Capital Planning Commission as required by this subsection may be reversed by the Long-Range Capital Planning Commission and if a transfer is reversed the agency, board, commission, state beneficiary trust, or other state government entity to which the real property has been impermissibly transferred shall take such actions to convey the subject property to the entity from which the asset was acquired not later than

thirty (30) days from the date an order for such transfer is entered by the Long-Range Capital Planning Commission. The Commission shall not approve any transfer unless proceeds from the sale shall be deposited within the Maintenance of State Buildings Revolving Fund as established by Section 908 of Title 62 of the Oklahoma Statutes.

G. By February 1 of each year, the Office of Management and Enterprise Services shall publish a report for the preceding calendar year listing the parcels of previously state-owned property sold, detailing the reduction in the amount of space leased by the state, describing the source of funds and expenditures from the Maintenance of State Buildings Revolving Fund, and showing the manner in which deferred maintenance needs are being met. The report shall be provided to the Governor, Speaker of the House of Representatives, and President Pro Tempore of the Senate and placed on the documents.ok.gov web portal.

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

1. The Oklahoma Ordnance Works Authority;
2. The Commissioners of the Land Office;
3. The ~~Oklahoma~~ Department of Transportation; and
4. The Oklahoma Turnpike Authority; and
5. The Grand River Dam Authority.

I. The Director of the Office of Management and Enterprise Services may make recommendations to the Long-Range Capital Planning Commission for liquidation of underutilized properties that have environmental issues, create a liability for the state, or create expenses that make the continued ownership of the underutilized property undesirable and the property has been offered through two public auctions or sealed bids and no viable bids were received. If the Long-Range Capital Planning Commission approves the liquidation of the property, the Office of Management and Enterprise Services may accept a bid of less than ninety percent (90%) of the appraised value in accordance with Section 327 of Title 61 of the Oklahoma Statutes.

SECTION 2. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 26th day of March, 2025.

Presiding Officer of the Senate

Passed the House of Representatives the 6th day of May, 2025.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____