

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

COMMITTEE SUBSTITUTE  
FOR

HOUSE BILL NO. 1916

By: Luttrell

COMMITTEE SUBSTITUTE

An Act relating to property; prohibiting transfers or leases of certain items of tangible personal property to public trusts; restricting transfer of title or lease transactions based upon fair-cash value or acquisition cost; specifying transactions prohibited based upon date of title transfer or lease date; providing for codification; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 180.5 of Title 60, unless there is created a duplication in numbering, reads as follows:

A. On and after the effective date of this act, no for-profit business entity shall transfer any item of tangible personal property to any public trust organized pursuant to the provisions of Section 176 et seq. of Title 60 of the Oklahoma Statutes which, at the time of its transfer, has a fair-cash value or an acquisition cost to the for-profit business entity in excess of One Million Dollars (\$1,000,000.00).

1       B. On and after the effective date of this act, no for-profit  
2 business entity shall enter into a lease transaction with any public  
3 trust organized pursuant to the provisions of Section 176 et seq. of  
4 Title 60 of the Oklahoma Statutes with respect to any item of  
5 tangible personal property which, at the time the lease is executed  
6 by the parties, has a fair cash value or an acquisition cost to the  
7 for-profit business entity in excess of One Million Dollars  
8 (\$1,000,000.00). The provisions of this subsection shall be  
9 applicable to any transaction which requires the public trust to  
10 lease such tangible personal property to a for-profit business  
11 entity from which possession of the tangible personal property was  
12 originally acquired and shall be applicable to any transaction  
13 pursuant to which the tangible personal property is leased or leased  
14 back to any other for-profit business entity.

15       C. The provisions of this section shall be applicable to  
16 tangible personal property as described by this section, the title  
17 to which is transferred to any public trust on and after the  
18 effective date of this act, but shall not be applicable with respect  
19 to such tangible personal property, the title to which was  
20 transferred prior to the effective date of this act, or that is  
21 subject to other laws or constitutional provisions.

22       D. The provisions of this section shall be applicable to  
23 tangible personal property as described by this section which  
24 becomes subject to a lease transaction pursuant to which any public

1 trust becomes the lessor of such tangible personal property and a  
2 for-profit business entity becomes the lessee with respect to such  
3 assets if the lease documents are executed on or after the effective  
4 date of this act, but shall not be applicable with respect to lease  
5 transactions with respect to such items of tangible personal  
6 property if the lease documents were executed prior to the effective  
7 date of this act.

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

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