

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 1029

By: Thompson (Kristen) of the
Senate

3
4 and

Roe of the House
5
6

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

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13 AMENDMENT NO. 1. Strike the title, enacting clause, and entire bill
and insert:
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15 "An Act relating to the Department of Mental Health
and Substance Abuse Services; amending 43A O.S. 2021,
16 Section 2-111, as amended by Section 1, Chapter 267,
O.S.L. 2022 (43A O.S. Supp. 2022, Section 2-111),
17 which relates to real property trust; authorizing
sale of certain land; clarifying terminology; and
18 providing an effective date.

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

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

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

6 2. The trust shall provide that:

7 a. the property placed into the trust may never be sold,
8 except for the tracts specifically described in
9 subparagraph c of this paragraph, if it is determined
10 by the trustees for the Department's Real Property
11 Trust and by the Department that such a sale is in the
12 best interests of the Department, and then the
13 proceeds shall be used exclusively for tangible
14 infrastructure improvements that benefit the persons
15 served by the Department, 7. The provisions of 61 O.S.
16 Section 327 do not apply to the sale of real property
17 under this section, otherwise the property shall be
18 held in perpetuity for the sole benefit of the
19 Department,

20 b. the property held by the trust which is not needed for
21 use by the Department may be leased or rented to
22 others and all income received from such leases or
23 rentals shall be payable to the Department for use by
24 the Department to fulfill the purposes of the

1 Department, except as provided in subparagraph d of
2 this section,

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

5 (1) Land owned by the Department located in Sections
6 20 and 29, Township 9 North, Range 2 West,
7 Cleveland County, Oklahoma,

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

11 (3) Land owned by the Department located in Section
12 27, Township 9 North, Range 2 West, Cleveland
13 County, Oklahoma,

14 (4) Land owned by the Department located in Section
15 20 ~~North~~, Township 20 North, Range 13 East and
16 described as PRT NW NW BEG ~~659.68S~~ 659.68 Feet
17 South & ~~310.67E~~ 310.67 Feet East NWC NW ~~TH~~
18 ~~N142.64 NE150 NW140 to PT on SL Mohawk BLVD NE300~~
19 ~~SE187.75 E204.92 to PT 405W EL NW NW S355.89 to~~
20 ~~PT on NL ATLANTA CIRCLE ADD W604.06 POB SEC 20 20~~
21 13 5.168 ACS, thence North 142.64 Feet, NE 150
22 Feet, NW 140 Feet to point on South Line Mohawk
23 Bldv, NE 300 Feet, SE 187.75 Feet, East 204.92
24 Feet to point 405 West of East Line NW, thence

1 South 355.89 Feet to point on North Line Atlanta
2 Circle ADD, thence West 604.06 to Point of
3 Beginning, 5.16 acres More or Less in Tulsa
4 County, Oklahoma,

- 5 (5) Land owned by the Department located in all that
6 part of the North Half of the Northwest Quarter
7 of the Northwest Quarter (N/2 NW1/4 NW1/4) of
8 Section 20 ~~North~~, Township 20 North, Range 13
9 East of the Indian Base and Meridian, Tulsa
10 County, State of Oklahoma, according to the
11 United States Government Survey thereof, being
12 more particularly described as BEGINNING at the
13 Northeast corner of ~~said~~ such NW/4 NW/4; thence
14 West along the North line of ~~said~~ such NW/4, a
15 distance of 405 feet to a point; thence South and
16 parallel to the East line of ~~said~~ such NW/4, a
17 distance of 615.53 feet to a point; thence East
18 and parallel to the North line of ~~said~~ such NW/4,
19 a distance of 405 feet to a point in the East
20 line of ~~said~~ such NW/4 NW/4, and ~~said~~ such point
21 being 615.53 feet South of the Northeast corner
22 of ~~said~~ such NW/4 NW/4; thence North along the
23 East line of ~~said~~ such NW/4 NW/4 a distance of
24

1 615.53 feet to a Point and Place of the
2 Beginning, ~~and~~

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

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

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

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

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

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

6 Passed the House of Representatives the 20th day of April, 2023.

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9 _____
10 Presiding Officer of the House of
Representatives

11 Passed the Senate the ____ day of _____, 2023.

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14 _____
Presiding Officer of the Senate

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1 ENGROSSED SENATE
2 BILL NO. 1029

By: Thompson (Kristen) of the
Senate

3 and

4 Roe of the House

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

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

14 SECTION 3. AMENDATORY 43A O.S. 2021, Section 2-111, as
15 amended by Section 1, Chapter 267, O.S.L. 2022 (43A O.S. Supp. 2022,
16 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
subparagraph c of this paragraph, if it is determined
by the trustees for the Department's Real Property

1 Trust and by the Department that such a sale is in the
2 best interests of the Department, and then the
3 proceeds shall be used exclusively for tangible
4 infrastructure improvements that benefit the persons
5 served by the Department, otherwise the property shall
6 be held in perpetuity for the sole benefit of the
7 Department,

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

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

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18 20 and 29, Township 9 North, Range 2 West,
19 Cleveland County, Oklahoma,

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21 of Culbertson Heights Addition to the City of
22 Oklahoma City, Oklahoma County, Oklahoma,
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2 27, Township 9 North, Range 2 West, Cleveland
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20 part of the North Half of the Northwest Quarter
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1 United States Government Survey thereof, being
2 more particularly described as BEGINNING at the
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4 West along the North line of ~~said~~ such NW/4, a
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7 distance of 615.53 feet to a point; thence East
8 and parallel to the North line of ~~said~~ such NW/4,
9 a distance of 405 feet to a point in the East
10 line of ~~said~~ such NW/4 NW/4, and ~~said~~ such point
11 being 615.53 feet South of the Northeast corner
12 of ~~said~~ such NW/4 NW/4; thence North along the
13 East line of ~~said~~ such NW/4 NW/4 a distance of
14 615.53 feet to a Point and Place of the
15 Beginning, ~~and~~

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17 through 24, Inclusive Block 5 and Bath Orchard
18 Addition to Oklahoma City, SE 1/4 of Section 26,
19 Township 12 North, Range 3 West, and

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21 of Block 2 in Warr Acres, Oklahoma and described
22 as SE 1/4, SE 1/4 of Section 9, Township 12
23 North, Range 4 West, and

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

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

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

18 SECTION 4. This act shall become effective November 1, 2023.

1 Passed the Senate the 6th day of March, 2023.

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3 _____
4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2023.

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8 _____
9 Presiding Officer of the House
10 of Representatives