

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

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

By: Thompson (Kristen) of the
Senate

6 and

7 Roe of the House

8
9 COMMITTEE SUBSTITUTE

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

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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 Department⁷. 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,
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1 c. the following tract or tracts of land may be sold as
2 set forth in subparagraph a of this paragraph:

3 (1) Land owned by the Department located in Sections
4 20 and 29, Township 9 North, Range 2 West,
5 Cleveland County, Oklahoma,

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

9 (3) Land owned by the Department located in Section
10 27, Township 9 North, Range 2 West, Cleveland
11 County, Oklahoma,

12 (4) Land owned by the Department located in Section
13 20 ~~North~~, Township 20 North, Range 13 East and
14 described as PRT NW NW BEG ~~659.68S~~ 659.68 Feet
15 South & ~~310.67E~~ 310.67 Feet East NWC NW ~~TH~~
16 ~~N142.64 NE150 NW140 to PT on SL Mohawk BLVD NE300~~
17 ~~SE187.75 E204.92 to PT 405W EL NW NW S355.89 to~~
18 ~~PT on NL ATLANTA CIRCLE ADD W604.06 POB SEC 20 20~~
19 ~~13 5.168 ACS~~, thence North 142.64 Feet, NE 150
20 Feet, NW 140 Feet to point on South Line Mohawk
21 Bldv, NE 300 Feet, SE 187.75 Feet, East 204.92
22 Feet to point 405 West of East Line NW, thence
23 South 355.89 Feet to point on North Line Atlanta
24 Circle ADD, thence West 604.06 to Point of

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

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