

1 ENGROSSED SENATE  
2 BILL NO. 330

By: McCortney of the Senate

3 and

4 McEntire of the House

5  
6 An Act relating to the University Hospitals  
7 Authority; amending 63 O.S. 2021, Section 3225, which  
8 relates to contractual agreements; modifying  
9 applicability of certain provision; providing certain  
10 construction; exempting amendments to specified  
11 agreements from certain procedure; updating statutory  
12 language; and providing an effective date.

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

14 SECTION 1. AMENDATORY 63 O.S. 2021, Section 3225, is  
15 amended to read as follows:

16 Section 3225. A. Contingent upon the creation of the  
17 University Hospitals Trust as provided in Section 3224 of this  
18 title, the Trust, prior to acceptance, shall submit to the  
19 Contingency Review Board for review the proposed agreement regarding  
20 the lease and operations of the ~~University Hospitals~~ hospital or  
21 hospitals owned by the University Hospitals Authority to any entity  
22 authorized to transact business in the state and an independent  
23 statement as to the fairness of ~~said~~ the proposed agreement for ~~the~~  
24 ~~State of Oklahoma~~ this state. The Contingency Review Board shall  
upon receipt of the proposed agreement meet within fifteen (15)

1 business days to review the proposed agreement; and unless the  
2 Contingency Review Board disapproves the proposed agreement, the  
3 proposed agreement may be executed, but no lease of the ~~University~~  
4 ~~Hospitals~~ hospital or hospitals owned by the University Hospitals  
5 Authority shall become effective until after Supreme Court approval  
6 pursuant to subsection B of this section; provided, any amendment to  
7 the provisions of this section shall not be construed to affect or  
8 abrogate any agreement approved pursuant to the provisions of this  
9 section prior to the effective date of such amendment.

10 B. 1. If a proposed agreement is not disapproved by the  
11 Contingency Review Board pursuant to subsection A of this section,  
12 the University Hospitals Authority and University Hospitals Trust,  
13 within thirty (30) calendar days after the time for Contingency  
14 Review Board action has expired, may file a petition with the  
15 Supreme Court of Oklahoma for a declaratory judgment determining the  
16 validity of the proposed agreement. The review of the Court shall  
17 be based upon the exercise of any of the powers, rights, privileges,  
18 and functions conferred upon the Authority or the University  
19 Hospitals Trust, as applicable, under the University Hospitals  
20 Authority Act and Oklahoma laws. Exclusive original jurisdiction is  
21 conferred upon the Supreme Court to hear and determine such  
22 petitions. The Supreme Court shall give such petitions precedence  
23 over other business of the Court except habeas corpus proceedings.

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1           2. Notice of the hearing of such a petition shall be given by a  
2 notice published in a newspaper of general circulation in this state  
3 that on a day specified the Supreme Court will hear the petition to  
4 approve the proposed agreement and enter a declaratory judgment.  
5 The notice shall be published one time not less than ten (10) days  
6 prior to the date specified for the hearing. The notice shall  
7 inform property owners, taxpayers, citizens, and all persons having  
8 or claiming any right, title, or interest in the proposed agreement  
9 or properties or funds to be affected by the implementation of the  
10 proposed agreement, or affected in any way thereby, that they may  
11 file protests against the approval of the proposed agreement, and be  
12 present at the hearing to contest the legality of the proposed  
13 agreement. The hearing may be adjourned from time to time at the  
14 discretion of the Court.

15           3. If the Court is satisfied that the proposed agreement is in  
16 accordance with the University Hospitals Authority Act and Oklahoma  
17 laws, the Court shall enter a declaratory judgment approving and  
18 declaring the proposed agreement to be valid and conclusive as to  
19 the Authority, the Trust, and all other parties to the proposed  
20 agreement; and, upon petition of the Authority, shall issue an order  
21 permanently enjoining all persons described in the notice required  
22 by this subsection from thereafter instituting any action or  
23 proceeding contesting the validity of the proposed agreement. A  
24 declaratory judgment rendered pursuant to this subsection shall have

1 the force and effect of a final judgment or decree and shall be  
2 incontestable in any court in this state.

3 4. As used in the University Hospitals Authority Act, "proposed  
4 agreement" means one or more contracts regarding the lease and  
5 operations of the ~~University Hospitals~~ hospital or hospitals owned  
6 by the University Hospitals Authority and all other agreements  
7 contemplated by or referred to in the contract regarding such lease  
8 and operations.

9 C. The procedure set forth in this section for review and  
10 approval of agreements regarding the lease and operations of the  
11 hospital or hospitals owned by the University Hospitals Authority  
12 shall not be required for any amendment to an agreement which has  
13 been so reviewed and approved which has the effect of increasing  
14 payments due to the University Hospitals Authority or University  
15 Hospitals Trust.

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