

1 **SENATE FLOOR VERSION**

2 February 19, 2025

3 SENATE BILL NO. 36

By: Bergstrom

4
5
6 An Act relating to state government; amending 74 O.S.
7 2021, Section 61.8, which relates to the Long-Range
8 Capital Planning Commission; exempting certain entity
9 from certain land and property requirements; updating
10 statutory language; and declaring an emergency.

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

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

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

20 B. Each year, the Director of the Office of Management and
21 Enterprise Services, at the direction of the Long-Range Capital
22 Planning Commission, shall take action to approve the privatization
23 of state-owned real property as identified pursuant to the Oklahoma
24 State Government Asset Reduction and Cost Savings Program. Proceeds

1 from the liquidation of real properties shall be deposited into the
2 Maintenance of State Buildings Revolving Fund.

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

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

18 E. Prior to approval or referral pursuant to subsection C or D
19 of this section, the Office of Management and Enterprise Services
20 shall determine if the applicant entity can utilize already existing
21 state-owned real property as an alternative to leasing non-state-
22 owned real property or purchasing or constructing new real property.
23 If such existing state-owned real property is owned by the Oklahoma
24 Historical Society, is listed on the National Register of Historic

1 Places or with the National Trust for Historic Preservation, or is
2 potentially of historical significance, the Office of Management and
3 Enterprise Services shall notify the Oklahoma Historical Society and
4 obtain its approval prior to approving an application for its reuse.

5 F. No state agency, board, commission, or public trust having
6 the state as its beneficiary shall transfer any real property owned
7 by the agency, board, commission, or trust to any other state
8 agency, board, commission, state beneficiary trust, or any public or
9 private entity unless the transfer is first approved by the Long-
10 Range Capital Planning Commission. Any transfer made without the
11 prior approval of the Long-Range Capital Planning Commission as
12 required by this subsection may be reversed by the Long-Range
13 Capital Planning Commission and if a transfer is reversed the
14 agency, board, commission, state beneficiary trust, or other state
15 government entity to which the real property has been impermissibly
16 transferred shall take such actions to convey the subject property
17 to the entity from which the asset was acquired not later than
18 thirty (30) days from the date an order for such transfer is entered
19 by the Long-Range Capital Planning Commission. The Commission shall
20 not approve any transfer unless proceeds from the sale shall be
21 deposited within the Maintenance of State Buildings Revolving Fund
22 as established by Section 908 of Title 62 of the Oklahoma Statutes.

23 G. By February 1 of each year, the Office of Management and
24 Enterprise Services shall publish a report for the preceding

1 calendar year listing the parcels of previously state-owned property
2 sold, detailing the reduction in the amount of space leased by the
3 state, describing the source of funds and expenditures from the
4 Maintenance of State Buildings Revolving Fund, and showing the
5 manner in which deferred maintenance needs are being met. The
6 report shall be provided to the Governor, Speaker of the House of
7 Representatives, and President Pro Tempore of the Senate and placed
8 on the documents.ok.gov web portal.

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

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

16 I. The Director of the Office of Management and Enterprise
17 Services may make recommendations to the Long-Range Capital Planning
18 Commission for liquidation of underutilized properties that have
19 environmental issues, create a liability for the state, or create
20 expenses that make the continued ownership of the underutilized
21 property undesirable and the property has been offered through two
22 public auctions or sealed bids and no viable bids were received. If
23 the Long-Range Capital Planning Commission approves the liquidation
24 of the property, the Office of Management and Enterprise Services

1 may accept a bid of less than ninety percent (90%) of the appraised
2 value in accordance with Section 327 of Title 61 of the Oklahoma
3 Statutes.

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

8 COMMITTEE REPORT BY: COMMITTEE ON RETIREMENT AND GOVERNMENT
9 RESOURCES
10 February 19, 2025 - DO PASS

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24