

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 HOUSE BILL 2439

By: Fettgatter

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5
6 AS INTRODUCED

7 An Act relating to Oklahoma Historical Society;
8 amending 62 O.S. 2021, Section 908, as amended by
9 Section 1, Chapter 188, O.S.L. 2023 (62 O.S. Supp.
10 2024, Section 908), which relates to the Oklahoma
11 State Government Asset Reduction and Cost Savings
12 Program; exempting the Oklahoma Historical Society
13 from the program; amending 74 O.S. 2021, Section
14 61.8, which relates to Long-Range Capital Planning
15 Commission; exempting the Oklahoma Historical
16 Society; and providing an effective date.

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

SECTION 1. AMENDATORY 62 O.S. 2021, Section 908, as
amended by Section 1, Chapter 188, O.S.L. 2023 (62 O.S. Supp. 2024,
Section 908), is amended to read as follows:

Section 908. A. There is hereby established the Oklahoma State
Government Asset Reduction and Cost Savings Program.

B. No later than December 31 each year, the Director of the
Office of Management and Enterprise Services shall publish a
comprehensive report detailing state-owned properties.

C. The report mandated in accordance with the provisions of
this section shall list the five percent (5%) most underutilized

1 state-owned properties. The report shall describe the value of
2 properties falling within the description in this subsection, assess
3 the potential for purchase should the properties be offered for
4 sale, and describe the impact on local-level tax rolls in the event
5 the properties are purchased by a nongovernmental entity.

6 D. The Director of the Office of Management and Enterprise
7 Services shall promulgate rules establishing procedures by which
8 each state agency, board, commission, and public trust having the
9 state as a beneficiary, excluding those otherwise exempted under
10 Section 327 of Title 61 of the Oklahoma Statutes, shall submit the
11 necessary data to the Office of Management and Enterprise Services
12 for the development of this report.

13 E. State agencies, boards, commissions, and public trusts
14 having the state as a beneficiary shall comply with procedures
15 promulgated pursuant to the terms of this section.

16 F. The report and data collected pursuant to this section shall
17 be published as a data feed on the data.ok.gov website.

18 G. In addition to the requirements of subsection C of this
19 section, the Office of Management and Enterprise Services may make
20 recommendations for the sale of other state-owned properties based
21 upon the value of the property and the potential for net gain for
22 the state based upon the data obtained for the Oklahoma State
23 Government Asset Reduction and Cost Savings Program.

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1 H. There is hereby created the Maintenance of State Buildings
2 Revolving Fund. The fund shall be a continuing fund, not subject to
3 fiscal year limitations, and shall serve as the depository for
4 proceeds from the sale of state-owned properties pursuant to the
5 Oklahoma State Government Asset Reduction and Cost Savings Program.
6 The fund shall further consist of monies appropriated thereto and
7 other funds designated for deposit therein. All monies accruing to
8 the credit of the fund are hereby appropriated and may be expended
9 exclusively for maintaining and repairing state-owned properties and
10 buildings pursuant to the procedures set forth in Section 901.1 of
11 ~~Title 62 of the Oklahoma Statutes~~ this title and for acquisition of
12 information technology tools or resources that state agencies,
13 boards, commissions, and public trusts having the state as a
14 beneficiary shall use in carrying out their obligations in
15 accordance with this act. The total expenditure for information
16 technology resources shall not exceed One Hundred Thousand Dollars
17 (\$100,000.00). Expenditures from the fund shall be made upon
18 warrants issued by the State Treasurer against claims filed as
19 prescribed by law with the Director of the Office of Management and
20 Enterprise Services for approval and payment. Expenditures from the
21 Maintenance of State Buildings Revolving Fund shall be detailed in a
22 data feed and made available through the data.ok.gov web portal.

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1 I. The Director of the Office of Management and Enterprise
2 Services shall notify entities found by the Office to be out of
3 compliance with the reporting provisions of this section in writing.

4 J. This section shall not be applicable to the following or
5 their lands, properties, buildings, funds, or revenue:

6 1. The Oklahoma Ordnance Works Authority;

7 2. The Commissioners of the Land Office; ~~and~~

8 3. Institutions comprising The Oklahoma State System of Higher
9 Education, except as to the data reporting requirements in this
10 section; and

11 4. The Oklahoma Historical Society.

12 K. The report required in subsection B of this section shall
13 include an indication of whether a property is owned by the Oklahoma
14 Historical Society, is listed on the National Register of Historic
15 Places or with the National Trust for Historic Preservation, or is
16 potentially of historical significance. The Office of Management
17 and Enterprise Services shall notify the Oklahoma Historical Society
18 and obtain its approval prior to the sale of any such property.

19 SECTION 2. AMENDATORY 74 O.S. 2021, Section 61.8, is
20 amended to read as follows:

21 Section 61.8. A. The Long-Range Capital Planning Commission
22 shall work to decrease the amount of property owned by Oklahoma
23 state government, return state-owned property to private sector
24 ownership, better maintain and utilize the state's needed capital

1 assets and, whenever possible, eliminate the practice of state
2 agencies leasing real property not owned by the state.

3 B. Each year, the Director of the Office of Management and
4 Enterprise Services at the direction of the Long-Range Capital
5 Planning Commission, shall take action to approve the privatization
6 of state-owned real property as identified pursuant to the Oklahoma
7 State Government Asset Reduction and Cost Savings Program. Proceeds
8 from the liquidation of real properties shall be deposited into the
9 Maintenance of State Buildings Revolving Fund.

10 C. Prior to entering into or renewing a lease for real
11 property, each state agency, board, commission, and public trust
12 having the State of Oklahoma as a beneficiary shall receive approval
13 for entering into the lease from the Office of Management and
14 Enterprise Services.

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

1 E. Prior to approval or referral pursuant to subsection C or D
2 of this section, the Office of Management and Enterprise Services
3 shall determine if the applicant entity can utilize already existing
4 state-owned real property as an alternative to leasing non-state-
5 owned real property or purchasing or constructing new real property.
6 If such existing state-owned real property is owned by the Oklahoma
7 Historical Society, is listed on the National Register of Historic
8 Places or with the National Trust for Historic Preservation, or is
9 potentially of historical significance, the Office of Management and
10 Enterprise Services shall notify the Oklahoma Historical Society and
11 obtain its approval prior to approving an application for its reuse.

12 F. No state agency, board, commission or public trust having
13 the state as its beneficiary shall transfer any real property owned
14 by the agency, board, commission or trust to any other state agency,
15 board, commission, state beneficiary trust or any public or private
16 entity unless the transfer is first approved by the Long-Range
17 Capital Planning Commission. Any transfer made without the prior
18 approval of the Long-Range Capital Planning Commission as required
19 by this subsection may be reversed by the Long-Range Capital
20 Planning Commission and if a transfer is reversed the agency, board,
21 commission, state beneficiary trust or other state government entity
22 to which the real property has been impermissibly transferred shall
23 take such actions to convey the subject property to the entity from
24 which the asset was acquired not later than thirty (30) days from

1 the date an order for such transfer is entered by the Long-Range
2 Capital Planning Commission. The Commission shall not approve any
3 transfer unless proceeds from the sale shall be deposited within the
4 Maintenance of State Buildings Revolving Fund as established by
5 Section 908 of Title 62 of the Oklahoma Statutes.

6 G. By February 1 of each year, the Office of Management and
7 Enterprise Services shall publish a report for the preceding
8 calendar year listing the parcels of previously state-owned property
9 sold, detailing the reduction in the amount of space leased by the
10 state, describing the source of funds and expenditures from the
11 Maintenance of State Buildings Revolving Fund and showing the manner
12 in which deferred maintenance needs are being met. The report shall
13 be provided to the Governor, Speaker of the House of
14 Representatives, President Pro Tempore of the Senate and placed on
15 the documents.ok.gov web portal.

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

- 18 1. The Oklahoma Ordnance Works Authority;
- 19 2. The Commissioners of the Land Office;
- 20 3. The Oklahoma Department of Transportation; ~~and~~
- 21 4. The Oklahoma Turnpike Authority; and
- 22 5. The Oklahoma Historical Society.

23 I. The Director of the Office of Management and Enterprise
24 Services may make recommendations to the Long-Range Capital Planning

1 Commission for liquidation of underutilized properties that have
2 environmental issues, create a liability for the state, or create
3 expenses that make the continued ownership of the underutilized
4 property undesirable and the property has been offered through two
5 public auctions or sealed bids and no viable bids were received. If
6 the Long-Range Capital Planning Commission approves the liquidation
7 of the property, the Office of Management and Enterprise Services
8 may accept a bid of less than ninety percent (90%) of the appraised
9 value in accordance with Section 327 of Title 61 of the Oklahoma
10 Statutes.

11 SECTION 3. This act shall become effective November 1, 2025.

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