

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 1020

By: Howard

AS INTRODUCED

An Act relating to the Office of the State Treasurer; amending 61 O.S. 2021, Section 327, as amended by Section 47, Chapter 238, O.S.L. 2022 (61 O.S. Supp. 2024, Section 327), which relates to procedures for state agency transactions; allowing Office of the State Treasurer to make certain property acquisitions; amending 74 O.S. 2021, Section 63, which relates to the Office of Management and Enterprise Services; conforming language; providing for codification; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 61 O.S. 2021, Section 327, as amended by Section 47, Chapter 238, O.S.L. 2022 (61 O.S. Supp. 2024, Section 327), is amended to read as follows:

Section 327. A. Unless procedures for state agency real property transactions are otherwise specifically provided for by law, no state agency shall sell, lease, exchange, or otherwise dispose of such real property subject to its jurisdiction, or lease, purchase or otherwise acquire real property subject to its jurisdiction, except as authorized by subsection L of this section

1 and as otherwise provided for in this section. As used in this  
2 section, "state agency" means any department, board, commission,  
3 institution, agency or entity of state government.

4 B. 1. Every state agency shall request the Office of  
5 Management and Enterprise Services to dispose of real property upon:

- 6 a. legislative authorization,
- 7 b. authorization by the Long-Range Capital Planning  
8 Commission, or
- 9 c. a determination, in writing, by the Office of  
10 Management and Enterprise Services or the state agency  
11 that a parcel of real property subject to its  
12 jurisdiction is no longer needed.

13 2. Upon the request of the state agency to dispose of real  
14 property, the Office of Management and Enterprise Services shall  
15 estimate the value of the property, and:

- 16 a. for properties with an estimated value of greater than  
17 Twenty-five Thousand Dollars (\$25,000.00), obtain at  
18 least one complete appraisal made by a person  
19 certified by the Real Estate Appraiser Board of the  
20 Oklahoma Insurance Department, who shall ascertain:
  - 21 (1) the present fair value of the property,
  - 22 (2) the present value of the improvements on such  
23 property, and

1 (3) the actual condition of the improvements on the  
2 property,

3 b. after completion of the provisions of subsection L of  
4 this section, cause notice of such sale to be  
5 published for at least one (1) day in a newspaper of  
6 general statewide circulation authorized to publish  
7 legal notices, and weekly for three (3) consecutive  
8 weeks in a newspaper of general circulation published  
9 in the county or counties in which the property is  
10 located. The notice shall contain the legal  
11 description of each parcel of real property to be  
12 offered for sale, the appraised value thereof, the  
13 time and location of the sale or opening of the bids,  
14 and terms of the sale including the fact that no  
15 parcel of property shall be sold for less than ninety  
16 percent (90%) of the appraised value of the real  
17 property; provided, in lieu of such procedure, the  
18 information may be published electronically on the  
19 Office of Management and Enterprise Services' website  
20 if the notice of sale and instructions on accessing  
21 the public information are published in a newspaper of  
22 general circulation in the county or counties in which  
23 the property is located weekly for three (3)  
24 consecutive weeks,

1 c. offer the property through electronic auction, public  
2 auction or sealed bids within three (3) weeks after  
3 the last publication of the notice. The property  
4 shall be sold to the highest bidder. The Office of  
5 Management and Enterprise Services shall not accept a  
6 bid of less than ninety percent (90%) of the average  
7 appraised fair value of the property and the  
8 improvements on such property,

9 d. if the property is being disposed of in compliance  
10 with Section 908 of Title 62 of the Oklahoma Statutes,  
11 the Office may auction the property at public or  
12 electronic auction provided proper public notice is  
13 given in compliance with this section and the property  
14 has been approved for liquidation by the Long-Range  
15 Capital Planning Commission. The Office of Management  
16 and Enterprise Services is authorized to reject all  
17 bids,

18 e. if the property has an estimated value of less than  
19 Twenty-five Thousand Dollars (\$25,000.00), the Office  
20 of Management and Enterprise Services may establish  
21 the value through market comparison and may dispose of  
22 the property based on estimated value without  
23 obtaining a certified appraisal; provided, however,

1 the sale shall comply with all other requirements of  
2 statute, and

3 f. if the property is landlocked, the Office of  
4 Management and Enterprise Services may offer the  
5 property through indirect sale to the adjacent  
6 property owner for not less than ninety percent (90%)  
7 of fair market value, as determined in compliance with  
8 this section. All sales costs, including any required  
9 surveys and appraisals, shall be at the expense of the  
10 buyer.

11 3. The cost of the appraisal required by the provisions of this  
12 section, together with other necessary expenses incurred pursuant to  
13 this section, shall be paid by the state agency for which the real  
14 property is to be sold from funds available to the state agency for  
15 such expenditure. All monies received from the sale or disposal of  
16 the property, except those monies necessary to pay the expenses  
17 incurred pursuant to this section, shall be deposited in the  
18 Maintenance of State Buildings Revolving Fund unless otherwise  
19 provided by law.

20 4. The Office of Management and Enterprise Services may dismiss  
21 from consideration any appraisal found to be incomplete or flawed.

22 C. Unless otherwise provided by law, the Office of Management  
23 and Enterprise Services shall review and approve state agency real  
24 property transactions. A state agency shall not lease or acquire

1 real property, or lease, dispose of or transfer state-owned real  
2 property until the Office provides notice of transaction approval to  
3 the state agency. Prior to approval, a state agency shall provide  
4 documents to the Office and provide reference to statutory or other  
5 legal authority of the state agency to lease or acquire real  
6 property, or lease, dispose of or transfer state-owned real  
7 property. If the state agency intends to lease or acquire real  
8 property, the state agency shall state the intended use of the real  
9 property, and shall provide the Office with required telework  
10 documentation. Within thirty (30) days of receipt, the Office shall  
11 provide notice of transaction approval or disapproval to the state  
12 agency.

13 D. The provisions of this section shall not apply to the lease  
14 of office space or real property subject to supervision of the  
15 Commissioners of the Land Office or district boards of education.

16 E. 1. The Office of Management and Enterprise Services shall  
17 maintain a comprehensive inventory of state-owned real property and  
18 its use excluding property of the public schools and property  
19 subject to the jurisdiction of the Commissioners of the Land Office.

20 2. Each state agency shall, within thirty (30) days of the  
21 closing date for lands newly acquired, provide to the Office a list  
22 of records, deeds, abstracts and other title instruments showing the  
23 description of and relating to any and all such lands or interests  
24 therein.

1           3. The provisions of paragraph 2 of this subsection shall apply  
2 to all lands of public trusts having a state agency as the primary  
3 beneficiary, but shall not apply to lands of municipalities,  
4 counties, school districts, or agencies thereof, or Department of  
5 Transportation rights-of-way.

6           4. A state agency that sells or otherwise disposes of land  
7 shall notify the Office within thirty (30) days of the disposition  
8 closing date.

9           F. This section shall not be construed to authorize any state  
10 agency, not otherwise authorized by law, to sell, lease, or  
11 otherwise dispose of any real property owned by the state.

12           G. The Office of Management and Enterprise Services and the  
13 Secretary of the Commissioners of the Land Office, or designee, as  
14 provided in subsection L of this section may provide services to  
15 sell, transfer, trade or purchase real property for other state  
16 agencies.

17           H. The Director of the Office of Management and Enterprise  
18 Services shall, pursuant to the Administrative Procedures Act,  
19 promulgate rules to effect procedures necessary to the fulfillment  
20 of its responsibilities under this section.

21           I. The Oklahoma Ordnance Works Authority and its lands, and the  
22 Northeast Oklahoma Public Facilities Authority, the Oklahoma  
23 Historical Society, the Oklahoma Department of Transportation, the  
24 Oklahoma Turnpike Authority and the Department of Wildlife managed

1 lands shall be exempt from the application of this section. The  
2 Grand River Dam Authority and its lands shall be exempt from the  
3 application of this section for any real property disposed of prior  
4 to November 1, 2006. The Office of the State Treasurer shall be  
5 exempt from the application of this section for the purchase of a  
6 state depository facility.

7 J. Unless otherwise provided for by law, the procedures  
8 established pursuant to this section for the sale or exchange of  
9 real estate or personal property as authorized pursuant to Sections  
10 2222 and 2223 of Title 74 of the Oklahoma Statutes shall be followed  
11 unless the sale is to an entity of state government.

12 K. The Director of the Office of Management and Enterprise  
13 Services shall contract with experts, professionals or consultants  
14 as necessary to perform the duties of the Office. Selections shall  
15 be made using the qualifications-based procedures established in  
16 Section 62 of this title and the rules promulgated by the Director  
17 for the selection of construction managers and design consultants.

18 L. 1. No state agency shall sell, lease, exchange, or  
19 otherwise dispose of such real property subject to its jurisdiction,  
20 or lease, purchase or otherwise acquire real property subject to its  
21 jurisdiction, until such agency or the Office of Management and  
22 Enterprise Services acting on the agency's behalf has presented to  
23 the Secretary of the Commissioners of the Land Office, or designee,  
24 all information collected pursuant to subparagraph a of paragraph 2



1 of subsection B of this section, and provided the Secretary of the  
2 Commissioners of the Land Office or designee a twenty-calendar-day  
3 period to provide a proposal for the acquisition or disposal of  
4 applicable real property.

5 2. The Secretary of the Commissioners of the Land Office or  
6 designee may decline to provide such a proposal; provided such  
7 notice of decline is communicated to the Office of Management and  
8 Enterprise Services in written or electronic form. Upon the  
9 reception of such notice of decline by the Office of Management and  
10 Enterprise Services, the twenty-calendar-day period otherwise  
11 required by this subsection shall be deemed to have expired.

12 SECTION 2. AMENDATORY 74 O.S. 2021, Section 63, is  
13 amended to read as follows:

14 Section 63. A. The Office of Management and Enterprise  
15 Services shall have power to promulgate rules not inconsistent with  
16 the laws of this state.

17 B. The Office of Management and Enterprise Services shall have  
18 charge of the construction, repair, maintenance, insurance, and  
19 operation of all buildings owned, used, or occupied by or on behalf  
20 of the state including buildings owned by the Oklahoma Capitol  
21 Improvement Authority where such services are carried out by  
22 contract with the Authority, except as otherwise provided by law.  
23 Whenever feasible, the Office of Management and Enterprise Services  
24 may utilize the Construction Division of the Department of

1 Corrections for the construction and repair of buildings for the  
2 Department of Corrections.

3 C. The Director of the Office of Management and Enterprise  
4 Services shall have authority to purchase all material and perform  
5 all other duties necessary in the construction, repair, and  
6 maintenance of all buildings under its management or control, shall  
7 make all necessary contracts by or on behalf of the state for any  
8 buildings or rooms rented for the use of the state or any of the  
9 officers thereof, and shall have charge of the arrangement and  
10 allotment of space in such buildings among the different state  
11 officers except as otherwise provided by law.

12 D. The Office of Management and Enterprise Services shall not  
13 have any authority or responsibility for buildings, rooms or space  
14 under the management or control of the University Hospitals  
15 Authority.

16 E. The Office of Management and Enterprise Services shall have  
17 the custody and control of all state property, and all other  
18 property managed or used by the state, except military stores and  
19 such property under the control of the State Banking Department and  
20 the two houses of the State Legislature, shall procure all necessary  
21 insurance thereon against loss and shall allot the use of the  
22 property to the several offices of the state, and prescribe where  
23 the property shall be kept for public use.

1 F. The Office of Management and Enterprise Services shall keep  
2 an accurate account of all property purchased for the state or any  
3 of the departments or officers thereof, except that purchased for  
4 and by the two houses of the State Legislature. The two houses  
5 shall have the exclusive use, care, and custody of their respective  
6 chambers, committee rooms, furniture, and property, and shall keep  
7 their respective records of said furniture and property.

8 G. The Office of Management and Enterprise Services shall not  
9 have any authority or responsibility for property purchased for or  
10 under the management or control of the University Hospitals  
11 Authority except as expressly provided by law.

12 H. The Office of Management and Enterprise Services shall not  
13 have any authority or responsibility for property purchased for or  
14 under the management or control of CompSource Oklahoma if CompSource  
15 Oklahoma is operating pursuant to a pilot program authorized by  
16 Sections 3316 and 3317 of this title.

17 I. The Office of Management and Enterprise Services shall not  
18 have any authority or responsibility for purposes of purchasing and  
19 operating a state depository under the Office of the State  
20 Treasurer.

21 SECTION 3. NEW LAW A new section of law to be codified  
22 in the Oklahoma Statutes as Section 374 of Title 74, unless there is  
23 created a duplication in numbering, reads as follows:  
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The Office of the State Treasurer may purchase, acquire, lease, and otherwise manage the properties of the Office, and shall not be subject to the provisions of Section 327 of Title 61 of the Oklahoma Statutes for the purposes of purchasing or acquiring such property.

SECTION 4. This act shall become effective July 1, 2025.

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

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