

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 60th Legislature (2025)

4 ENGROSSED SENATE
5 BILL NO. 36

6 By: Bergstrom of the Senate

7 and

8 West (Josh) of the House

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

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

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

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

21 B. Each year, the Director of the Office of Management and
22 Enterprise Services, at the direction of the Long-Range Capital

1 Planning Commission, shall take action to approve the privatization
2 of state-owned real property as identified pursuant to the Oklahoma
3 State Government Asset Reduction and Cost Savings Program. Proceeds
4 from the liquidation of real properties shall be deposited into the
5 Maintenance of State Buildings Revolving Fund.

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

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

21 E. Prior to approval or referral pursuant to subsection C or D
22 of this section, the Office of Management and Enterprise Services
23 shall determine if the applicant entity can utilize already existing
24 state-owned real property as an alternative to leasing non-state-

1 owned real property or purchasing or constructing new real property.
2 If such existing state-owned real property is owned by the Oklahoma
3 Historical Society, is listed on the National Register of Historic
4 Places or with the National Trust for Historic Preservation, or is
5 potentially of historical significance, the Office of Management and
6 Enterprise Services shall notify the Oklahoma Historical Society and
7 obtain its approval prior to approving an application for its reuse.

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

1 | deposited within the Maintenance of State Buildings Revolving Fund
2 | as established by Section 908 of Title 62 of the Oklahoma Statutes.

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

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

- 15 | 1. The Oklahoma Ordnance Works Authority;
- 16 | 2. The Commissioners of the Land Office;
- 17 | 3. The ~~Oklahoma~~ Department of Transportation; and
- 18 | 4. The Oklahoma Turnpike Authority; and
- 19 | 5. The Grand River Dam Authority.

20 | I. The Director of the Office of Management and Enterprise
21 | Services may make recommendations to the Long-Range Capital Planning
22 | Commission for liquidation of underutilized properties that have
23 | environmental issues, create a liability for the state, or create
24 | expenses that make the continued ownership of the underutilized

1 property undesirable and the property has been offered through two
2 public auctions or sealed bids and no viable bids were received. If
3 the Long-Range Capital Planning Commission approves the liquidation
4 of the property, the Office of Management and Enterprise Services
5 may accept a bid of less than ninety percent (90%) of the appraised
6 value in accordance with Section 327 of Title 61 of the Oklahoma
7 Statutes.

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

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13 COMMITTEE REPORT BY: COMMITTEE ON GOVERNMENT, dated 04/17/2025 - DO
14 PASS.
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