

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 58th Legislature (2022)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3560

By: Roe and **McEntire**

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9 COMMITTEE SUBSTITUTE

10 An Act relating to mental health; amending 43A O.S.
11 2021, Section 2-111, which relates to real property
12 trusts; adding tracts of land that may be sold by the
13 Department of Mental Health and Substance Abuse
14 Services; and providing an effective date.

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

16 SECTION 1. AMENDATORY 43A O.S. 2021, Section 2-111, is
17 amended to read as follows:

18 Section 2-111. A. 1. The Board of Mental Health and Substance
19 Abuse Services is hereby authorized and directed to create a trust
20 into which all real property held by or for the benefit of the
21 Department of Mental Health and Substance Abuse Services shall be
22 transferred.

23 2. The trust shall provide that:
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1 a. the property placed into the trust may never be sold,
2 except for the tracts specifically described in
3 subparagraph c of this paragraph, if it is determined
4 by the trustees for the Department's Real Property
5 Trust and by the Department that such a sale is in the
6 best interests of the Department, and then the
7 proceeds shall be used exclusively for tangible
8 infrastructure improvements that benefit the persons
9 served by the Department, otherwise the property shall
10 be held in perpetuity for the sole benefit of the
11 Department,

12 b. the property held by the trust which is not needed for
13 use by the Department may be leased or rented to
14 others and all income received from such leases or
15 rentals shall be payable to the Department for use by
16 the Department to fulfill the purposes of the
17 Department, except as provided in subparagraph d of
18 this section,

19 c. the following tract or tracts of land may be sold as
20 set forth in subparagraph a of this paragraph:

- 21 (1) Land owned by the Department located in Sections
22 20 and 29, Township 9 North, Range 2 West,
23 Cleveland County, Oklahoma,
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1 (2) Land owned by the Department located in Block 5
2 of Culbertson Heights Addition to the City of
3 Oklahoma City, Oklahoma County, Oklahoma, ~~and~~

4 (3) Land owned by the Department located in Section
5 27, Township 9 North, Range 2 West, Cleveland
6 County, Oklahoma,

7 (4) Land owned by the Department located in Section
8 20 Township 20, Range 13 and described as PRT NW
9 NW BEG 659.68S & 310.67E NWC NW TH N142.64 NE150
10 NW140 to PT on SL Mohawk BLVD NE300 SE187.75
11 E204.92 to PT 405W EL NW NW S355.89 to PT on NL
12 ATLANTA CIRCLE ADD W604.06 POB SEC 20 20 13 5.168
13 ACS in Tulsa County, Oklahoma,

14 (5) Land owned by the Department located in all that
15 part of the North Half of the Northwest Quarter
16 of the Northwest Quarter (N/2 NW1/4 NW1/4) of
17 Section 20 North, Range 13 East of the Indian
18 Base and Meridian, Tulsa County, State of
19 Oklahoma, according to the United States
20 Government Survey thereof, being more
21 particularly described as BEGINNING at the
22 Northeast corner of said NW/4 NW/4; thence West
23 along the North line of said NW/4, a distance of
24 405 feet to a point; thence South and parallel to

1 the East line of said NW/4, a distance of 615.53
2 feet to a point; thence East and parallel to the
3 North line of said NW/4, a distance of 405 feet
4 to a point in the East line of said NW/4 NW/4,
5 and said point being 615.53 feet South of the
6 Northeast corner of said NW/4 NW/4; thence North
7 along the East line of said NW/4 NW/4 a distance
8 of 615.53 feet to a Point and Place of the
9 Beginning, and

10 (6) Land owned by the Department located in Lots 13
11 through 24, Inclusive Block 5 and Bath Orchard
12 Addition to Oklahoma City, SE 1/4 of Section 26,
13 Township 12 North, Range 3 West, and

14 d. under no condition should any real property held in
15 trust be sold to fund prevention, mental health or
16 addiction treatment services.

17 B. Upon the creation of the trust authorized in subsection A of
18 this section, the Office of Management and Enterprise Services is
19 directed to provide all necessary assistance to the Department of
20 Mental Health and Substance Abuse Services to identify and transfer
21 all property held by or for the benefit of the Department of Mental
22 Health and Substance Abuse Services to the trust. Except as
23 provided in subsection C of this section, the Office of Management
24 and Enterprise Services is authorized and directed to provide all

1 requested assistance to the Department of Mental Health and
2 Substance Abuse Services in leasing property placed in such trust.

3 C. The Commissioners of the Land Office are authorized and
4 directed to provide all requested assistance to the Department of
5 Mental Health and Substance Abuse Services in leasing mineral
6 interests placed in such trust.

7 SECTION 2. This act shall become effective November 1, 2022.

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9 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC HEALTH, dated 03/02/2022 -
10 DO PASS, As Amended and Coauthored.

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