

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 SENATE BILL 790

By: Leewright

4
5
6 AS INTRODUCED

7 An Act relating to state property; providing for
8 operational and management leases of certain real and
9 personal property; exempting lease from RFP or bid
10 process; stating conditions of lease; setting maximum
11 term of lease; providing for certain renewals;
12 requiring certain notice to President Pro Tempore and
13 Speaker of the House within certain time; stating
14 when lease becomes effective; providing for
15 codification; providing an effective date; and
16 declaring an emergency.

17
18
19
20
21
22
23
24
25 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 2224.1 of Title 74, unless there
is created a duplication in numbering, reads as follows:

The Oklahoma Tourism and Recreation Commission may negotiate an
operational and management lease with any city, county, other agency
of government or federally recognized Indian tribe or nation, which
is a willing participant, of its operational, management and
infrastructure responsibilities in real and personal property owned
by this state or the Oklahoma Department of Tourism and Recreation
when such property is operated and maintained under the jurisdiction

1 of the Commission. Such lease agreement shall not require a request
2 for proposals (RFP) or bid process; however, such lease agreement
3 shall be subject to the following provisions:

4 1. The city, county, other agency or federally recognized
5 Indian tribe or nation shall agree to accept the full responsibility
6 for operating, repairing and maintaining the infrastructure and
7 property and use the real estate and personal property for public
8 recreation purposes in accordance with the Land and Water
9 Conservation Fund under 54 U.S.C., Section 200301 et seq.;

10 2. The city, county, other agency or federally recognized
11 Indian tribe or nation shall not dispose of the real or personal
12 property without authority from the Commission;

13 3. The Commission shall lease the real and personal property as
14 may be appropriate for such consideration and/or financial
15 incentives, awards and returns as negotiated and agreed by the
16 parties;

17 4. The consideration for the property lease shall be the
18 agreement of the lessee to continue public recreation use of the
19 property and to operate, repair, improve and manage the property
20 without an operating subsidy from the Oklahoma Department of Tourism
21 and Recreation or the Commission;

22 5. The lease agreement shall be subject to all existing
23 easements and reservations of record and all known claims and
24 obligations of the Commission;

1 6. The lease agreement may be entered into for a maximum period
2 of fifty (50) years subject to annual renewal each year up to the
3 fiftieth-year. Thereafter, a renewal shall be allowed for another
4 fifty-year maximum period; and

5 7. The Commission shall provide written notice to the President
6 Pro Tempore of the Senate and the Speaker of the House of
7 Representatives detailing any such proposed lease agreement to be
8 entered into pursuant to this section no later than thirty (30) days
9 prior to the first day of the legislative session. The Commission
10 shall approve such proposed lease agreement during the legislative
11 session to be effective at the beginning of the next fiscal year,
12 contingent upon the approval of the proposed lease agreement by the
13 Legislature.

14 SECTION 2. This act shall become effective July 1, 2021.

15 SECTION 3. It being immediately necessary for the preservation
16 of the public peace, health or safety, an emergency is hereby
17 declared to exist, by reason whereof this act shall take effect and
18 be in full force from and after its passage and approval.

19
20 58-1-1088 NP 1/21/2021 2:41:38 PM
21
22
23
24
25