



ROSENSTEIN, FIST & RINGOLD

RED BANNER UPDATE

Date: April 27, 2021

Re: SB 22

Signed: April 21, 2021

Effective: July 1, 2021

Topic: Lessee's Right of First Refusal for Sale of School Property

Summary: This Act amends OKLA. STAT. tit. 70, § 5-117 to establish that lessees of a school district's real or personal property shall have the right of first refusal to purchase the leased property if the school board elects to dispose of it upon the following conditions.

If the board receives a bid or offer for the property that it wishes to accept through a public sale, public bid, or private sale, the board must first provide notice to the lessee of the property which shall include the (1) identity of the prospective purchaser, (2) terms and conditions of the proposed sale, and (3) purchase price to be paid by the prospective purchaser.

The lessee shall have thirty (30) days after receipt of the above notice to inform the board that it elects to purchase the property on the same terms and conditions in the notice, and the board must convey the property on those terms and conditions; provided, however, that if any portion of the consideration included in the notice's purchase price is not in cash, the lessee shall be entitled to pay the fair market value in cash of such noncash consideration.

Please visit the firm's website to view the signed Act.

RFR attorneys are reviewing this legislation and will be advising clients as to any recommended changes to existing district policies.