

ENROLLED SENATE  
BILL NO. 1088

By: Kerr of the Senate

and

Walker of the House

An Act relating to public finance; authorizing and directing the Oklahoma Development Finance Authority to fund a certain study to be conducted by the Oklahoma Department of Commerce; providing conditional authorization to any local public trust to acquire certain real property for certain purpose; authorizing public trust to lease property and transfer title to lessee upon satisfaction of certain financial obligations; authorizing public trust to borrow money for certain purpose; authorizing issuance of negotiable obligations; specifying procedures for selling negotiable obligations; authorizing public trust to determine how negotiable obligations are to be sold; authorizing public trust to enter into certain agreements for marketing negotiable obligations; defining maximum time for maturity of negotiable obligations; requiring public trust to provide certain information to the Oklahoma Department of Commerce under certain conditions; providing for codification; and providing an effective date.

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 58 of Title 62, unless there is created a duplication in numbering, reads as follows:

A. The Oklahoma Development Finance Authority is authorized to fund a study to be conducted by the Oklahoma Department of Commerce to determine the feasibility of acquiring property in the vicinity of electrical generating plants where such property could be developed into industrial parks and where construction and leasing of manufacturing facilities in such parks could be used to promote firms with high electrical needs in this state. If such feasibility study indicates that the acquisition and development of the property under consideration is likely to be a financially viable project which will lead to the development of new manufacturing jobs in this state, any local public trust is authorized to acquire real property located adjacent or in close proximity to, electrical generating facilities, together with improvements located thereon, for purposes of developing industrial parks and leasing space therein to

manufacturing concerns or other businesses that use large amounts of electricity. The public trust may hold title to the real property and improvements until such time as any obligations issued for this purpose are retired or defeased and may lease the real property and improvements to business entities for use as manufacturing facilities or other businesses that use large amounts of electricity. Upon final redemption or defeasance of the obligations created pursuant to this section, title to the real property and improvements may be transferred from the public trust holding title to the manufacturing facilities or other businesses that use large amounts of electricity which are leasing the property.

B. For the purpose of paying the costs for acquisition of the real property and improvements authorized in subsection A of this section, the public trust is hereby authorized to borrow monies on the credit of the income and revenues to be derived from the leasing of such real property and improvements and, in anticipation of the collection of such income and revenues, to issue negotiable obligations for such purpose.

C. The obligations authorized under this section may be sold at either competitive or negotiated sale, as determined by the public trust, and in such form and at such prices as may be authorized by the public trust. The public trust may enter into agreements with such credit enhancers and liquidity providers as may be determined necessary to efficiently market the obligations. The obligations may mature and have such provisions for redemption as shall be determined by the public trust, but in no event shall the final maturity of such obligations occur later than thirty (30) years from the first principal maturity date.

D. Any public trust acquiring real property for the purposes specified in subsection A of this section shall provide information to the Oklahoma Department of Commerce about the location of the property, proximity to the electric generating facility, improvements, utilities or such other information as the Department may require to keep a database of such properties for possible business site location.

SECTION 2. This act shall become effective November 1, 2004.

Passed the Senate the 21st day of May, 2004.

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Presiding Officer of the Senate

Passed the House of Representatives the 28th day of May, 2004.

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Presiding Officer of the House  
of Representatives