

1 ENGROSSED SENATE  
2 BILL NO. 1943

By: Mazzei and Barrington of  
the Senate

3 and

4 Miller of the House

5  
6  
7 [ public finance - Oklahoma Local Development and  
8 Enterprise Zone Incentive Leverage Act -  
9 definitions - procedures -  
10 emergency ]

11  
12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 62 O.S. 2001, Section 840, is  
14 amended to read as follows:

15 Section 840. Sections ~~9~~ 840 through ~~17~~ 847 of this ~~act~~ title  
16 and Section 2357.81 of Title 68 of the Oklahoma Statutes shall be  
17 known and may be cited as the "Oklahoma Local Development and  
18 Enterprise Zone Incentive Leverage Act".

19 SECTION 2. AMENDATORY 62 O.S. 2001, Section 841, as  
20 amended by Section 1, Chapter 448, O.S.L. 2004 (62 O.S. Supp. 2007,  
21 Section 841), is amended to read as follows:

22 Section 841. As used in the Oklahoma Local Development and  
23 Enterprise Zone Incentive Leverage Act:

24

1           1. "Enterprise" means any form of business organization  
2 including, but not limited to, any partnership, sole proprietorship,  
3 corporation, limited liability company or other legally constituted  
4 business entity;

5           2. "Enterprise zone" means an area as defined pursuant to  
6 ~~subparagraph a, b, c or d~~ of paragraph 5 of Section 690.2 of this  
7 title;

8           3. "Estimated direct state benefits" means the total  
9 incremental state tax revenues new to the state estimated by the  
10 Oklahoma Department of Commerce to accrue to the state from new  
11 ~~sales and/or investments originating outside the state borders~~  
12 during the period of apportionment of local sales taxes, as a result  
13 of the project and/or projects described in the related project  
14 plan. In projecting such benefits, the Oklahoma Department of  
15 Commerce shall consider, if practicable, whether or not the project  
16 plan involves an enterprise:

- 17           a. relocating from within the state,
- 18           b. subject to or in the process of recruitment by two or  
19           more governmental entities within the state, or
- 20           c. which will be in direct competition with an existing  
21           enterprise located in the state;

22           4. "Estimated direct state costs" means the costs projected by  
23 the Oklahoma Department of Commerce to be incurred by the state  
24 during the period of apportionment of local sales taxes, as a result

1 of the project and/or projects described in the related project  
2 plan;

3 5. "Estimated net direct state benefits" means the estimated  
4 direct state benefits less the estimated direct state costs;

5 6. "Facility" means the definition contained in paragraph 8 of  
6 Section 690.2 of this title;

7 7. "Governing body" means the governing board of a local  
8 governmental entity in the case of a single incentive district or  
9 increment district when the boundaries of the district are  
10 coextensive with or contained within the jurisdiction of any such  
11 single local governmental entity or the governing boards of a  
12 combination of counties, cities, or towns forming an incentive  
13 district or an increment district pursuant to the provisions of the  
14 Local Development Act;

15 8. "Incentive district" means an area created pursuant to the  
16 provisions of the Local Development Act, including Section 856 of  
17 this title;

18 9. "Increment district" means an area created pursuant to the  
19 provisions of the Local Development Act;

20 10. "Local governmental entity" means a county, city or town  
21 forming an incentive district or an increment district pursuant to  
22 the provisions of the Local Development Act;

23 11. "Local sales taxes" means amounts payable to or for the  
24 benefit of a local governmental entity calculated as a percentage,

1 which, except on transient lodgings, shall not exceed four and one-  
2 half percent (4.5%), of gross sales whether imposed by ordinance,  
3 resolution, covenant, or agreement;

4 12. "Major tourism destination project" means a project which:

5 a. meets the definition of a "tourism attraction" as set  
6 forth in subparagraph a of paragraph 10 of Section  
7 2357.36 of Title 68 of the Oklahoma Statutes, subject  
8 only to the restrictions of divisions (1), (3) and (6)  
9 of subparagraph b of paragraph 10 of Section 2357.36  
10 of Title 68 of the Oklahoma Statutes, or

11 b. is projected to meet the following qualifications  
12 within three (3) years of the date of substantial  
13 completion of the project based upon the findings of  
14 the Oklahoma Department of Commerce:

15 (1) at least Fifty Million Dollars (\$50,000,000.00)  
16 in capital investment,

17 (2) at least Fifty Million Dollars (\$50,000,000.00)  
18 in projected annual gross sales revenues or at  
19 least Ten Million Dollars (\$10,000,000.00) in  
20 annual gross sales revenues to out-of-state  
21 visitors,

22 (3) a number of out-of-state visitors of at least:  
23 (a) twenty percent (20%) of the number of total  
24 visitors, or

1                   (b) twenty thousand (20,000) visitors per year,  
2                   and

3                   (4) a number of visitors traveling at least one  
4                   hundred (100) miles of at least:

5                   (a) thirty percent (30%) of the number of total  
6                   visitors, or

7                   (b) twenty-five thousand (25,000) visitors per  
8                   year;

9                   13. "Net benefit rate" means the estimated net direct state  
10 benefits computed as a percentage of gross taxable sales derived  
11 from the project during the period of apportionment of local sales  
12 taxes by the local governmental entity;

13                   ~~12.~~ 14. "Public entity" means those entities described in the  
14 Local Development Act;

15                   ~~13.~~ 15. "Retail purposes" means the objectives of selling  
16 tangible personal property, other than art, on the physical premises  
17 of an establishment. Retail purposes shall not mean a hotel, motel,  
18 entertainment facility, museum, cultural facility, art gallery,  
19 restaurant supporting another establishment excluded herein, or a  
20 major tourism destination project;

21                   16. "State local enterprise matching payment" means the payment  
22 authorized by subsection A of Section 844 of this title; and

23                   ~~14.~~ 17. "State local government matching payment" means the  
24 payment authorized by subsection D of Section 844 of this title.

1 SECTION 3. AMENDATORY 62 O.S. 2001, Section 842, as  
2 amended by Section 2, Chapter 448, O.S.L. 2004 (62 O.S. Supp. 2007,  
3 Section 842), is amended to read as follows:

4 Section 842. A. An enterprise which locates its facility  
5 within an enterprise zone or which expands its existing facility  
6 after the designation of an enterprise zone as authorized by law and  
7 which is located in an incentive district as authorized pursuant to  
8 the provisions of the Local Development Act shall be eligible for  
9 the state local enterprise matching payment authorized pursuant to  
10 subsection A of Section 844 of this title.

11 B. 1. A local governmental entity which ~~constructs public~~  
12 ~~improvements~~ approves a project plan within an enterprise zone in  
13 accordance with a project plan as authorized pursuant to the  
14 provisions of the Local Development Act shall be eligible for the  
15 state local government matching payment authorized pursuant to  
16 subsection D of Section 844 of this title; provided, no state local  
17 government matching payment shall be made for project costs in  
18 relation to:

- 19 a. any gambling establishment, or  
20 b. any ~~project~~ development within a project plan that  
21 provides for more than ten percent (10%) of the net  
22 leasable space of such development to be used for  
23 retail purposes ~~or provides for state payments to.~~

24

1 State local government matching payments shall not be used to  
2 supplant local revenue currently being expended within the increment  
3 district boundaries.

4 2. In order to be eligible for state local government matching  
5 payments for approving a project within an enterprise zone, a local  
6 ~~government~~ governmental entity shall provide to the Oklahoma  
7 Department of Commerce as part of the application provided for in  
8 subsection J of this section:

9 ~~1. An~~

10 a. an estimate of ~~net~~ incremental revenues likely to be  
11 derived from ~~export of goods outside the state borders~~  
12 ~~or inflow of capital or sales from outside the state~~  
13 ~~border;~~ the project, and

14 ~~2. Certification~~

15 b. certification that all projects described within the  
16 related project plan will generate, in the aggregate,  
17 a minimum of either One Million Dollars  
18 (\$1,000,000.00) in payroll, exclusive of payroll for  
19 construction, or Five Million Dollars (\$5,000,000.00)  
20 in investment.

21 3. In order to be eligible for state local government matching  
22 payments in support of a major tourism destination project, a local  
23 governmental entity shall provide to the Oklahoma Department of  
24

1 Commerce as part of the application provided for in subsection J of  
2 this section:

3 a. an estimate of incremental revenues new to the state  
4 likely to be derived from the project,

5 b. certification that the major tourism destination meets  
6 the applicable criteria described in paragraph 12 of  
7 Section 841 of this title, and

8 c. an agreement to provide payment to the Oklahoma  
9 Department of Commerce to defray the costs of the  
10 study required by paragraph 4 of this subsection.

11 4. To determine if a project qualifies as a major tourism  
12 destination project pursuant to subparagraph b of paragraph 12 of  
13 Section 841 of this title and to assist in other required  
14 determinations, the Oklahoma Department of Commerce shall cause a  
15 market and feasibility study to be conducted by an independent  
16 consultant with experience in the conduct of such studies. Upon  
17 review of the feasibility report, the Oklahoma Department of  
18 Commerce shall make its finding as to the reasonable probability  
19 that the proposed project is a major tourism destination project as  
20 provided in subparagraph b of paragraph 12 of Section 841 of this  
21 title.

22 C. For purposes of the Oklahoma Local Development and  
23 Enterprise Zone Incentive Leverage Act, an enterprise engaged in a  
24 retail activity, where otherwise prohibited by the Oklahoma



1 Enterprise Zone Act for purposes of the benefits and incentives  
2 extended pursuant to the Oklahoma Enterprise Zone Act, shall be  
3 considered an eligible enterprise for purposes of the state local  
4 enterprise matching payment and the income tax credit authorized by  
5 the Oklahoma Local Development and Enterprise Zone Incentive  
6 Leverage Act.

7 D. The combined maximum amount of state local enterprise  
8 matching payments and the amount of income tax credit authorized  
9 pursuant to Section 2357.81 of Title 68 of the Oklahoma Statutes for  
10 an enterprise per fiscal year shall not exceed Two Hundred Thousand  
11 Dollars (\$200,000.00).

12 E. Except as provided in subsection H of this section, for  
13 purposes of the Oklahoma Local Development and Enterprise Zone  
14 Incentive Leverage Act, the maximum amount of aggregate investment  
15 in all qualifying facilities located in any single county which can  
16 qualify for a state local enterprise matching payment pursuant to  
17 subsection A of Section 844 of this title or for an income tax  
18 credit as authorized by Section 2357.81 of Title 68 of the Oklahoma  
19 Statutes shall be computed for each county of the state by  
20 multiplying Two Hundred Dollars (\$200.00) times the population of  
21 the county according to the 1999 estimate provided by the United  
22 States Bureau of the Census.

23 F. The computation required by subsection E of this section  
24 shall be the maximum amount of aggregated investment qualifying for

1 the purposes of all enterprises for the duration of the Oklahoma  
2 Local Development and Enterprise Zone Incentive Leverage Act.

3 G. The aggregate investment limit for all facilities located  
4 within a county which may qualify for the state local enterprise  
5 matching payments pursuant to subsection A of Section 844 of this  
6 title or for an income tax credit as authorized by Section 2357.81  
7 of Title 68 of the Oklahoma Statutes shall:

8 1. Not be less than Twenty Million Dollars (\$20,000,000.00) for  
9 counties with a population of less than one hundred thousand  
10 (100,000) persons; and

11 2. Not be greater than Forty Million Dollars (\$40,000,000.00)  
12 for all other counties of the state.

13 H. The aggregate limit for all state local government matching  
14 payments made to any public entity on behalf of any local  
15 governmental entity within a single county pursuant to subsection D  
16 of Section 844 of this title for the duration of the Oklahoma Local  
17 Development and Enterprise Zone Incentive Leverage Act shall be an  
18 amount equal to the net benefit rate multiplied by the taxable gross  
19 sales derived from the project over the period of apportionment of  
20 local sales taxes, as certified by the Secretary of Commerce.

21 I. The payments authorized by Section 844 of this title and the  
22 income tax credit authorized by Section 2357.81 of Title 68 of the  
23 Oklahoma Statutes shall be available for business and governmental  
24 entities qualifying pursuant to the Local Development Act for

1 investments made within an incentive district or for improvements  
2 made within an increment district prior to December 31, 2007, or for  
3 which an incentive district or an increment district has been  
4 created prior to ~~December 31, 2007~~ December 31, 2018, if the  
5 investments or improvements are begun not later than ~~December 31,~~  
6 ~~2008~~ December 31, 2019.

7 J. The Oklahoma Department of Commerce shall promulgate rules  
8 to establish a procedure for an enterprise or local government  
9 entity to make application for state local enterprise and state  
10 local government matching payments ~~under circumstances in which the~~  
11 ~~amount of the investment in a facility would be in excess of the~~  
12 ~~applicable aggregate investment limit~~ pursuant to this section.  
13 Such rules shall reflect the intent that the Oklahoma Local  
14 Development and Enterprise Zone Incentive Leverage Act be fiscally  
15 neutral to the state.

16 SECTION 4. AMENDATORY 62 O.S. 2001, Section 843, as  
17 amended by Section 3, Chapter 448, O.S.L. 2004 (62 O.S. Supp. 2007,  
18 Section 843), is amended to read as follows:

19 Section 843. A. In order to receive the state local enterprise  
20 matching payment pursuant to the provisions of subsection A of  
21 Section 844 of this title, the enterprise shall obtain a  
22 certification, provided by the governing body of the local  
23 governmental entity creating the incentive district, acknowledged by  
24 the chief elected official of the local governing body that the

1 enterprise has qualified pursuant to the Local Development Act for  
2 sales tax exemption. The certification document shall include:

3 1. The beginning date of the exemption;

4 2. The ending date of the exemption;

5 3. The total amount of projected investment to construct or  
6 expand the facility during the period for which the incentives  
7 available pursuant to the Local Development Act will be in force and  
8 effect together with a certification by the Oklahoma Department of  
9 Commerce that the facility is located in an enterprise zone; and

10 4. The legal name and business entity classification of the  
11 entity to which exemption is afforded or to which sales tax payment  
12 is made by the local governmental entity or entities pursuant to the  
13 provisions of the Local Development Act.

14 B. The local governing body shall provide a copy of the  
15 certification document to the Oklahoma Tax Commission.

16 C. After the enterprise provides a certification from the local  
17 governing body, the Tax Commission shall make payment to the  
18 enterprise identified in the certification document equal to the  
19 amount of the sales tax from which the enterprise is certified as  
20 exempt as identified in the certification in the manner prescribed  
21 by subsection A of Section 844 of this title.

22 D. The state local enterprise matching payment shall be made  
23 only for sales tax foregone by local governmental entities or  
24 rebated to the business enterprise by local entities for purchases

1 made by the business enterprise and not on the basis of any sales  
2 tax collected by the business enterprise from consumers or users on  
3 taxable sales made by the enterprise.

4 E. In order to receive the state local governmental matching  
5 payment pursuant to the provisions of subsection D of Section 844 of  
6 this title, the local governmental entity shall provide to the Tax  
7 Commission a certification, acknowledged by its mayor or  
8 chairperson, that such local governmental entity has created an  
9 increment district pursuant to the Local Development Act which  
10 qualifies for a state local government matching payment. The  
11 certification document shall include:

12 1. The beginning date of the increment district;

13 2. The ending date of the increment district;

14 3. A description of the ~~improvements~~ project costs authorized  
15 by the project plan for which the state local government matching  
16 payments will be used and the estimated date for substantial  
17 completion of the project being assisted as described in the  
18 application;

19 4. A certification by the Oklahoma Department of Commerce that  
20 the ~~increment district~~ project plan is located in an enterprise zone  
21 or supports a qualifying major tourism destination project, and that  
22 the qualifying investment and development has been or will be  
23 substantially completed no later than December 31, 2024;

24

1           5. The amount of the local sales taxes which have been  
2 apportioned during the previous six-month period by the local  
3 governmental entity for the payment of project costs pursuant to the  
4 provisions of the Local Development Act; and

5           6. The name of the public entity identified in the project plan  
6 pursuant to Section 858 of this title as the entity authorized to  
7 carry out activities pursuant to the project plan.

8           After the local governmental entity provides such certification,  
9 the Tax Commission shall make payment to the designated public  
10 entity in an amount equal to the lesser of the certified amount of  
11 the local sales taxes apportioned during the previous six (6) months  
12 or the estimated net direct state benefits as prescribed by  
13 subsection D of Section 844 of this title.

14           SECTION 5.           AMENDATORY           62 O.S. 2001, Section 846, as  
15 amended by Section 5, Chapter 448, O.S.L. 2004 (62 O.S. Supp. 2007,  
16 Section 846), is amended to read as follows:

17           Section 846. A. As soon as practicable after verification of  
18 the amount of the state local enterprise matching payments  
19 authorized by Section 844 of this title, the Oklahoma Tax Commission  
20 shall issue a warrant to the qualifying establishment in the amount  
21 of the sales tax exempted or apportioned pursuant to the applicable  
22 provisions of the Local Development Act, subject to the limitations  
23 imposed by Section 842 of this title.

24

1 B. As soon as is practicable after verification of the amount  
2 of state local government matching payments authorized by Section  
3 844 of this title, the ~~Oklahoma~~ Tax Commission shall issue a warrant  
4 to the qualifying ~~local government~~ public entity in the amount  
5 provided for in subsection D of Section 844 of this title, subject  
6 to the limitations imposed by Section 842 of this title.

7 SECTION 6. AMENDATORY 62 O.S. 2001, Section 847, as  
8 amended by Section 6, Chapter 448, O.S.L. 2004 (62 O.S. Supp. 2007,  
9 Section 847), is amended to read as follows:

10 Section 847. A. The Oklahoma Tax Commission shall maintain a  
11 record of state local enterprise matching payments and state local  
12 government matching payments made pursuant to Section 844 of this  
13 title and a record of income tax credits claimed pursuant to Section  
14 2357.81 of Title 68 of the Oklahoma Statutes. Local sales taxes  
15 apportioned under the applicable project plan shall be reported,  
16 collected, remitted, and disbursed in the same manner as other local  
17 sales taxes under Title 68 of the Oklahoma Statutes.

18 B. The Tax Commission shall prepare a report separately  
19 identifying the amounts described in subsection A of this section  
20 and shall submit the report prior to April 1 each year to the  
21 Governor, the Speaker of the House of Representatives and the  
22 President Pro Tempore of the Senate.

23  
24

1 SECTION 7. AMENDATORY Section 3, Chapter 349, O.S.L.  
2 2007 (74 O.S. Supp. 2007, Section 5062.31), is amended to read as  
3 follows:

4 Section 5062.31 The Legislature finds:

5 1. It is in the best interest of the State of Oklahoma to  
6 ensure the continued location and expansion of established military  
7 bases and facilities in this state;

8 2. Growth to political subdivisions as a result of the presence  
9 and expansion of military bases and facilities requires improved and  
10 expanded municipal and school infrastructure and facilities; and

11 3. Political subdivisions that serve military bases are in  
12 critical need of capital improvement projects, and the financing of  
13 such projects constitutes an important public purpose.

14 SECTION 8 AMENDATORY Section 4, Chapter 349, O.S.L. 2007  
15 (74 O.S. Supp. 2007, Section 5062.32), is amended to read as  
16 follows:

17 Section 5062.32 As used in the Military Base Protection and  
18 Expansion Incentive Act:

19 1. "Authority" means the Oklahoma Development Finance  
20 Authority;

21 2. "Capital project" means the acquisition, construction,  
22 expansion, replacement, or renovation of a municipal, county or  
23 school district facility, including real property, buildings, and  
24



1 other fixed assets. Capital project shall not include furnishings  
2 or equipment that is not a fixed asset; and

3 3. "Qualified ~~political subdivision~~ issuer" means a  
4 municipality, county, school district, or public trust of which a  
5 municipality, county or school district is the beneficiary that:

6 a. is located in or adjacent to a county that is home to  
7 a military installation receiving military or mission  
8 expansion from the 2005 Base Realignment and Closure  
9 Commission (BRAC) recommendations, and

10 b. encompasses all or part of a school district that is  
11 entitled to receive federal impact aid dollars or  
12 federal payment in lieu of tax dollars for the most  
13 recently completed school year.

14 SECTION 9. AMENDATORY Section 5, Chapter 349, O.S.L.  
15 2007 (74 O.S. Supp. 2007, Section 5062.33), is amended to read as  
16 follows:

17 Section 5062.33 There is hereby created a loan program, the  
18 purpose of which is to protect and retain established military bases  
19 and facilities and to support additional and expanded employment at  
20 such bases and facilities. The program shall provide funding to  
21 qualified ~~political subdivisions~~ issuers to finance capital projects  
22 needed as a result of growth due to or in connection with an  
23 established military base.

24

1 SECTION 10. AMENDATORY Section 6, Chapter 349, O.S.L.  
2 2007 (74 O.S. Supp. 2007, Section 5062.34), is amended to read as  
3 follows:

4 Section 5062.34 A. When a qualified ~~political subdivision~~  
5 issuer that is or will be impacted by growth at a military  
6 installation, proposes to acquire or construct a capital project,  
7 the Oklahoma Development Finance Authority may serve as conduit  
8 issuer for the capital project in the form of loans, lease-purchase  
9 agreements, or other forms of indebtedness.

10 B. For the capital projects described in subsection A of this  
11 section, the Authority may issue bonds to provide funding:

12 1. To acquire real property, together with improvements  
13 thereon;

14 2. To construct buildings and other improvements to real  
15 property; and

16 3. To provide repairs, renovations, and improvements to real  
17 property and other fixed assets-; and

18 4. To defease or refund bonds or other obligations of a  
19 qualified issuer which were issued to finance a capital project as  
20 defined herein; and further, to fund necessary bond reserves and to  
21 pay costs of issuance of any obligations issued under this act.

22 C. The Authority shall not issue bonds for loans, lease-  
23 purchase agreements, or other forms of indebtedness for a qualified  
24 ~~political subdivision~~ issuer pursuant to the Military Base

1 Protection and Expansion Incentive Act except upon the certification  
2 by the qualified ~~political subdivision~~ issuer that it has received  
3 or will receive an amount sufficient to repay the indebtedness as a  
4 result of a voter-approved incentive derived from a tax levy.  
5 Further, the qualified issuer shall certify that it will not use the  
6 proceeds of general obligation bonds to pay the interest on any  
7 lease-purchase obligations.

8 D. The Authority may hold title to the new real property and  
9 improvements and place liens on improved existing real property  
10 until such time as any obligations issued for the purpose of the  
11 capital project are retired or defeased and may lease the real  
12 property and improvements to the qualified ~~political subdivision~~  
13 issuer. Upon final redemption or defeasance of the obligations  
14 created pursuant to this section, title to the real property and  
15 improvements thereon shall be transferred from the Authority to the  
16 qualified ~~political subdivision~~ issuer.

17 E. The Authority may defer principal payments on loans made  
18 pursuant to the Military Base Protection and Expansion Incentive Act  
19 for a period not to exceed five (5) years.

20 SECTION 11. AMENDATORY Section 7, Chapter 349, O.S.L.  
21 2007 (74 O.S. Supp. 2007, Section 5062.35), is amended to read as  
22 follows:

23 Section 5062.35 A. It is the intent of the Legislature to  
24 appropriate monies to the Oklahoma Department of Commerce in a total

1 amount not to exceed Five Million Dollars (\$5,000,000.00) per year  
2 for the purpose of funding interest payments of obligations issued  
3 by the Authority pursuant to this act during the initial five (5)  
4 years of the obligations. The appropriated funds shall be deposited  
5 in the Military Base Protection and Expansion Bond Fund.

6 B. Upon the completion of the periods, if any, during which  
7 principal payments are deferred and during which interest payments  
8 are made from the Military Base Protection and Expansion Bond Fund  
9 for a qualified ~~political subdivision~~ issuer, the qualified  
10 ~~political subdivision~~ issuer shall pay all principal, interest, and  
11 other appropriate costs associated with the issuance of the  
12 obligations. Payments may be in the form of lease payments to the  
13 Authority as described in subsection D of Section 6 of this act.

14 C. Bonds issued by the Authority under this act must be  
15 delivered no later than June 30, 2010. No monies will be provided  
16 pursuant to this section after June 30, 2015, for interest payments  
17 on bonds issued under this act.

18 SECTION 12. AMENDATORY Section 8, Chapter 349, O.S.L.  
19 2007 (74 O.S. Supp. 2007, Section 5062.36), is amended to read as  
20 follows:

21 Section 5062.36 A. There is hereby created within the State  
22 Treasury a special fund for the Department of Commerce to be  
23 designated as the "Military Base Protection and Expansion Bond  
24 Fund". All monies deposited into the fund shall be used and

1 expended by the Department solely to pay interest on bonds issued  
2 pursuant to the terms of this act. The Department shall enter into  
3 agreements as necessary to carry out the purposes of this act.

4 B. The Department may establish separate accounts within the  
5 Military Base Protection and Expansion Bond Fund as may be required  
6 to separately record transactions involving each qualified ~~political~~  
7 ~~subdivision~~ issuer that applies to participate in the loan program  
8 created by this act and to provide for the distribution of monies  
9 deposited in the fund.

10 SECTION 13. It being immediately necessary for the preservation  
11 of the public peace, health and safety, an emergency is hereby  
12 declared to exist, by reason whereof this act shall take effect and  
13 be in full force from and after its passage and approval.

14 Passed the Senate the 4th day of March, 2008.

15  
16 \_\_\_\_\_  
17 Presiding Officer of the Senate

18 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
19 2008.

20  
21 \_\_\_\_\_  
22 Presiding Officer of the House  
23 of Representatives  
24