

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 HOUSE BILL 2791

By: Kouplen

4
5
6 AS INTRODUCED

7 An Act relating to agriculture; amending 2 O.S. 2001,
8 Section 5-82, as amended by Section 1, Chapter 262,
9 O.S.L. 2009 (2 O.S. Supp. 2009, Section 5-82), which
10 relates to the Oklahoma Agricultural Linked Deposit
11 Program; setting maximum loan amount for certain
12 eligible agricultural businesses; and providing an
13 effective date.

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

15 SECTION 1. AMENDATORY 2 O.S. 2001, Section 5-82, as
16 amended by Section 1, Chapter 262, O.S.L. 2009 (2 O.S. Supp. 2009,
17 Section 5-82), is amended to read as follows:

18 Section 5-82. As used in the Oklahoma Agricultural Linked
19 Deposit Program:

20 1. "Agricultural domestic corporation" means any domestic
21 corporation formed or licensed pursuant to the Oklahoma General
22 Corporation Act or a limited domestic liability company formed or
23 licensed pursuant to the Oklahoma Limited Liability Company Act and
24 meeting the requirements of paragraph 5 of subsection A of Section
955 of Title 18 of the Oklahoma Statutes and meeting the

1 requirements of subsection A of Section 951 of Title 18 of the
2 Oklahoma Statutes;

3 2. "Agricultural linked deposit" means a certificate of deposit
4 placed by the State Treasurer with an eligible lending institution
5 or an investment in bonds, notes, debentures, or other obligations
6 or securities issued by the federal farm credit bank with regard to
7 an eligible lending institution for the purpose of carrying out the
8 intent of this program;

9 3. "Agricultural Linked Deposit Loan Package" means the forms
10 provided by the State Treasurer for the purpose of applying for an
11 agricultural linked deposit;

12 4. "Alternative agricultural products" means those products
13 included in a report submitted by the Cooperative Extension Service
14 of Oklahoma State University to the ~~State~~ Oklahoma Department of
15 Agriculture, Food, and Forestry, and any other products which the
16 State Board of Agriculture determines will diversify Oklahoma's
17 agricultural industry so as to broaden Oklahoma's economic base;

18 5. "An at-risk farm or ranch business" shall be one that seeks
19 a production loan and meets the following criteria:

20 a. at least sixty percent (60%) of gross income derived
21 from farming and/or ranching, and

22 b. a debt-to-asset ratio over forty percent (40%);

23 6. "Eligible agricultural business" means:
24

- 1 a. any person engaged in producing, processing, or
2 marketing alternative agricultural products,
3 b. any person who is establishing a veterinary practice
4 in which at least thirty percent (30%) of the practice
5 consists of services for large animals and the total
6 loan amount shall not exceed Two Hundred Fifty
7 Thousand Dollars (\$250,000.00), or
8 c. an at-risk farm or ranch business, within the State of
9 Oklahoma in operation that has developed a management
10 plan through the Intensive Financial Management and
11 Planning Support (IFMAPS) program of the Cooperative
12 Extension Service of Oklahoma State University or the
13 Farm Business Management Program of the Oklahoma
14 Department of Career and Technology Education; and

15 7. "Eligible lending institution" means a financial institution
16 that agrees to participate in the Oklahoma Agricultural Linked
17 Deposit Program, and:

- 18 a. is eligible to be a depository of state funds, or
19 b. is an institution of the farm credit system organized
20 under the federal "Farm Credit Act of 1971", 12 U.S.C.
21 2001, as amended.

22 SECTION 2. This act shall become effective November 1, 2010.

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24 52-2-9451 EK 01/11/10