

1 ENGROSSED SENATE
2 BILL NO. 839

By: Bingman of the Senate

3 and

4 Hickman of the House

5 An Act relating to public finance; creating the
6 Oklahoma Museum of Popular Culture under the Oklahoma
7 Historical Society; authorizing the Oklahoma
8 Historical Society to do certain construction,
9 maintenance, repair, and operation; authorizing the
10 Oklahoma Capitol Improvement Authority to issue
11 obligations to provide funding for construction of
12 the Oklahoma Museum of Popular Culture for the
13 Oklahoma Historical Society; providing for debt
14 retirement payments; directing how title is to be
15 held and when it is to be transferred; authorizing
16 capitalization of certain interest; stating
17 legislative intent; authorizing payment of certain
18 costs; providing methods for issuance of obligations;
19 authorizing hiring certain professionals for certain
20 purpose; providing for sale of obligations by certain
21 methods; limiting maturity of obligations; providing
22 for utilization of certain interest earnings;
23 providing tax exemption; providing for investment of
24 certain monies; requiring compliance with certain
statutory provisions; providing for codification; and
providing an effective date.

1 8 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

1 9 SECTION 1. NEW LAW A new section of law to be codified
2 0 in the Oklahoma Statutes as Section 2294 of Title 74, unless there
2 1 is created a duplication in numbering, reads as follows:

2 2 There is hereby created the Oklahoma Museum of Popular Culture
2 3 to be under the supervision of the Oklahoma Historical Society. The
2 4 Oklahoma Historical Society is authorized to construct, maintain,

1 repair, and operate the Oklahoma Museum of Popular Culture and its
2 facilities.

3 SECTION 2. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 302.1 of Title 73, unless there
5 is created a duplication in numbering, reads as follows:

6 A. In addition to any other authorization provided by law, the
7 Oklahoma Capitol Improvement Authority is authorized to issue
8 obligations to acquire real property, together with improvements
9 located thereon, and personal property, to construct buildings,
10 parking facilities and other improvements to real property, and to
11 provide funding for repairs, planning, staging, refurbishments, and
12 improvements to real and personal property, and for funding for
13 construction of the Oklahoma Museum of Popular Culture for the
14 Oklahoma Historical Society in a total amount necessary to generate
15 Twenty-five Million Dollars (\$25,000,000.00) in project funds with
16 debt retirement payments to be made as provided in this section.

17 B. The Authority may hold title to the real and personal
18 property and improvements until such time as any obligations issued
19 for this purpose are retired or defeased and may lease the real
20 property and improvements to the Oklahoma Historical Society. Upon
21 final redemption or defeasance of the obligations created pursuant
22 to this section, title to the real and personal property and
23 improvements shall be transferred from the Authority to the Oklahoma
24 Historical Society.

1 C. For the purpose of paying the costs for acquisition and
2 construction of the real property and improvements and personal
3 property and making the repairs, planning, staging, refurbishments,
4 and improvements to real and personal property, and providing
5 funding for the project authorized in subsection A of this section,
6 and for the purpose authorized in subsection D of this section, the
7 Authority is hereby authorized to borrow monies on the credit of the
8 income and revenues to be derived from the leasing of such real and
9 personal property, parking facilities, and improvements and, in
10 anticipation of the collection of such income and revenues, to issue
11 negotiable obligations in a total amount necessary to generate
12 Twenty-five Million Dollars (\$25,000,000.00) in project funds,
13 whether issued in one or more series. The Authority is authorized
14 to capitalize interest on the obligations issued pursuant to the
15 authority granted by this section for a period not to exceed two (2)
16 years from the date of issuance. For the fiscal year ending June
17 30, 2017, and subsequent fiscal years, it is the intent of the
18 Legislature to appropriate to the Oklahoma Historical Society
19 sufficient monies to make rental payments for the purposes of
20 retiring the obligations created pursuant to this section. To the
21 extent funds are available from the proceeds of the borrowing
22 authorized by this subsection, the Authority shall provide for the
23 payment of professional fees and associated costs related to the
24 projects authorized in subsection A of this section.

1 D. The Authority may issue obligations in one or more series
2 and in conjunction with other issues of the Authority. The
3 Authority is authorized to hire bond counsel, financial consultants,
4 and such other professionals as it may deem necessary to provide for
5 the efficient sale of the obligations and may utilize a portion of
6 the proceeds of any borrowing to create such reserves as may be
7 deemed necessary and to pay costs associated with the issuance and
8 administration of such obligations.

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

19 F. Any interest earnings on funds or accounts created for the
20 purposes of this section may be utilized as partial payment of the
21 annual debt service or for the purposes directed by the Authority.

22 G. The obligations issued under this section, the transfer
23 thereof and the interest earned on such obligations, including any
24 profit derived from the sale thereof, shall not be subject to

1 taxation of any kind by the State of Oklahoma, or by any county,
2 municipality or political subdivision therein.

3 H. The Authority may direct the investment of all monies in any
4 funds or accounts created in connection with the offering of the
5 obligations authorized under this section. Such investments shall
6 be made in a manner consistent with the investment guidelines of the
7 State Treasurer. The Authority may place additional restrictions on
8 the investment of such monies if necessary to enhance the
9 marketability of the obligations.

10 I. The Legislature expects that the Oklahoma Historical Society
11 will make the rental payments for the purpose of retiring the
12 obligations created pursuant to the provisions of this section from
13 current appropriations received by the Oklahoma Historical Society.

14 J. Insofar as they are not in conflict with the provisions of
15 this section, the provisions of Section 151 et seq. of Title 73 of
16 the Oklahoma Statutes shall apply to this section.

17 SECTION 3. This act shall become effective November 1, 2015.

1 Passed the Senate the 19th day of May, 2015.

2
3 _____
4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2015.

7
8 _____
9 Presiding Officer of the House
of Representatives