

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

SENATE BILL 1551

By: Leewright

AS INTRODUCED

An Act relating to the Oklahoma Capitol Improvement Authority; amending 73 O.S. 2011, Section 168.10, which relates to the authority to acquire real property; providing authority to improve property held by the Oklahoma Tourism and Recreation Department; and declaring an emergency.

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

SECTION 1. AMENDATORY 73 O.S. 2011, Section 168.10, is amended to read as follows:

Section 168.10. A. The Oklahoma Capitol Improvement Authority is authorized to acquire real property, together with improvements located thereon, and personal property for purposes of providing office space to the Oklahoma Tourism and Recreation Department, or to make improvements to property already held by the Department to provide offices, related structural improvements, and infrastructure which will facilitate other activities within the Department's mission. The Authority 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

1 improvements to the Oklahoma Tourism and Recreation Commission.
2 Upon final redemption or defeasance of the obligations created
3 pursuant to this section, title to the real property and
4 improvements shall be transferred from the Oklahoma Capitol
5 Improvement Authority to the Oklahoma Tourism and Recreation
6 Commission.

7 B. For the purpose of paying the costs for acquisition of the
8 real property and improvements and personal property authorized in
9 subsection A of this section, and for the purpose authorized in
10 subsection C of this section, the Authority is hereby authorized to
11 borrow monies on the credit of the income and revenues to be derived
12 from the leasing of such real property and improvements and, in
13 anticipation of the collection of such income and revenues, to issue
14 negotiable obligations in an amount not to exceed Nine Million
15 Dollars (\$9,000,000.00). The Authority is authorized to capitalize
16 interest on the obligations issued pursuant to the authority granted
17 by this section for a period of not to exceed two (2) years from the
18 date of issuance. For the fiscal year ending June 30, 2009, and
19 subsequent fiscal years, it is the intent of the Legislature to
20 appropriate to the Oklahoma Tourism and Recreation Department
21 sufficient monies to make rental payments for the purposes of
22 retiring the obligations created pursuant to this section. The
23 costs for acquisition of the real property and improvements and
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1 personal property authorized in subsection A of this section shall
2 not exceed Nine Million Dollars (\$9,000,000.00).

3 C. To the extent funds are available from the proceeds of the
4 borrowing authorized by subsection B of this section, the Oklahoma
5 Capitol Improvement Authority shall provide for the payment of
6 professional fees and associated costs approved by the Oklahoma
7 Tourism and Recreation Commission.

8 D. The Authority may issue obligations in one or more series
9 and in conjunction with other issues of the Authority. The
10 Authority is authorized to hire bond counsel, financial consultants,
11 and such other professionals as it may deem necessary to provide for
12 the efficient sale of the obligations and may utilize a portion of
13 the proceeds of any borrowing to create such reserves as may be
14 deemed necessary and to pay costs associated with the issuance and
15 administration of such obligations.

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

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

6 G. The obligations issued under this section, the transfer
7 thereof and the interest earned on such obligations, including any
8 profit derived from the sale thereof, shall not be subject to
9 taxation of any kind by the State of Oklahoma, or by any county,
10 municipality or political subdivision therein.

11 H. The Authority may direct the investment of all monies in any
12 funds or accounts created in connection with the offering of the
13 obligations authorized under this section. Such investments shall
14 be made in a manner consistent with the investment guidelines of the
15 State Treasurer. The Authority may place additional restrictions on
16 the investment of such monies if necessary to enhance the
17 marketability of the obligations.

18 SECTION 2. It being immediately necessary for the preservation
19 of the public peace, health or safety, an emergency is hereby
20 declared to exist, by reason whereof this act shall take effect and
21 be in full force from and after its passage and approval.

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