

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 SENATE BILL 1551

By: Leewright

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6 AS INTRODUCED

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

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

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

15 Section 168.10. A. The Oklahoma Capitol Improvement Authority  
16 is authorized to acquire real property, together with improvements  
17 located thereon, and personal property for purposes of providing  
18 office space to the Oklahoma Tourism and Recreation Department, or  
19 to make improvements to property already held by the Department to  
20 provide offices, related structural improvements, and infrastructure  
21 which will facilitate other activities within the Department's  
22 mission. The Authority may hold title to the real property and  
23 improvements until such time as any obligations issued for this  
24 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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