

1 ENGROSSED HOUSE
2 BILL NO. 3571

By: McBride of the House

and

Thompson of the Senate

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7 [Oklahoma Capitol Improvement Authority -

8 authorizing issuance of obligations - authorizing

9 acquisition of title to certain assets by Oklahoma

10 Capitol Improvement Authority - creating Jim Thorpe

11 Repair Expenditure Oversight Committee -

12 emergency]
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15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

16 SECTION 1. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 382 of Title 73, unless there is
18 created a duplication in numbering, reads as follows:

19 A. In addition to any other authorization provided by law, the
20 Oklahoma Capitol Improvement Authority is authorized to issue
21 obligations to acquire real property, together with improvements
22 located thereon, and personal property to construct improvements to
23 real property and to provide funding for repairs, refurbishments,
24 and improvements to real and personal property of the Jim Thorpe

1 Office Building and associated furniture, fixtures, and equipment in
2 a total amount not to exceed Seventy Million Dollars
3 (\$70,000,000.00). The funds shall be used for the renovation,
4 repair, and remodeling of the Jim Thorpe Office Building.

5 B. The Authority may hold title to the property and
6 improvements until such time as any obligations issued for this
7 purpose are retired or defeased and may lease the property and
8 improvements to the Office of Management and Enterprise Services.
9 Upon final redemption or defeasance of the obligations created
10 pursuant to this section, title to the property and improvements
11 shall be transferred from the Oklahoma Capitol Improvement Authority
12 to the Office of Management and Enterprise Services.

13 C. For the purposes of paying the costs for construction of the
14 real property and improvements, and providing funding for the
15 project authorized in subsection A of this section, and for the
16 purpose authorized in subsection D of this section, the Authority is
17 hereby authorized to borrow monies on the credit of the income and
18 revenues to be derived from the leasing of such property and
19 improvements and, in anticipation of the collection of such income
20 and revenues, to issue negotiable obligations in a total amount not
21 to exceed Seventy Million Dollars (\$70,000,000.00) whether issued in
22 one or more series. The Authority is authorized to capitalize
23 interest on the obligations issued pursuant to this section for a
24 period of not to exceed one (1) year from the date of issuance. For

1 subsequent fiscal years, it is the intent of the Legislature to
2 appropriate to the Office of Management and Enterprise Services
3 sufficient monies to make rental payments for the purpose of
4 retiring the obligations created pursuant to this section. To the
5 extent funds are available from the proceeds of the borrowing
6 authorized by this subsection, the Oklahoma Capitol Improvement
7 Authority shall provide for the payment of professional fees and
8 associated costs related to the project authorized in subsection A
9 of this section; provided, that no such fees or costs may be paid if
10 such payments would jeopardize the tax-advantaged status of the
11 bonds under federal law.

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

20 E. The obligations authorized under this section may be sold at
21 either competitive or negotiated sale, as determined by the
22 Authority, and in such form and at such prices as may be authorized
23 by the Authority. The Authority may enter into agreements with such
24 credit enhancers and liquidity providers as may be determined

1 necessary to efficiently market the obligations. The obligations
2 may mature and have such provisions for redemption as shall be
3 determined by the Authority, but in no event shall the final
4 maturity of such obligations occur later than twenty-five (25) years
5 from the first principal maturity date.

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

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

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

21 I. Insofar as they are not in conflict with the provisions of
22 this section, the provisions of Section 151 et seq. of Title 73 of
23 the Oklahoma Statutes shall apply to this section.

1 J. Unless at least fifty percent (50%) of the proceeds
2 authorized by the provisions of this section have been obtained by
3 sale of obligations by the Authority within three (3) years from the
4 effective date of this act, the provisions of this section shall
5 cease to have the force or effect of law with respect to any further
6 issuance of obligations by the Authority otherwise authorized by
7 this section. The provisions of this subsection shall not be
8 construed to limit the liability of the Authority with respect to
9 obligations issued pursuant to this section if the obligations were
10 issued prior to the termination of the remaining issuing capacity
11 nor shall the provisions of this subsection be construed in any way
12 to impair rights of any person or entity which has purchased any
13 obligations of the Authority pursuant to the provisions of this
14 section which were authorized at the time of such purchase.

15 K. There is hereby created a Jim Thorpe Repair Expenditure
16 Oversight Committee. The proceeds from the sale of obligations
17 issued pursuant to the provisions of this section that are needed
18 for repairs to the interior and exterior of the Jim Thorpe Office
19 Building shall be subject to the approval of the Jim Thorpe Repair
20 Expenditure Oversight Committee; provided, however, the expenditure
21 of those proceeds shall be subject to a request for proposal
22 process.

23 The Committee shall be composed of nine (9) members as follows:
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1 1. Three persons to be appointed by the Governor, one of whom
2 shall serve as chair of the Committee;

3 2. Three legislators to be appointed by the Speaker of the
4 Oklahoma House of Representatives, two of whom shall be members of
5 the majority political party and one of whom shall be a member of
6 the minority political party; and

7 3. Three legislators to be appointed by the President Pro
8 Tempore of the Oklahoma State Senate, two of whom shall be members
9 of the majority political party and one of whom shall be a member of
10 the minority political party. Five members of the Committee shall
11 constitute a quorum and the vote of five members shall be necessary
12 for any action taken by the Committee. The Committee shall be
13 staffed by employees of the Office of Management and Enterprise
14 Services. The Committee shall be subject to the Oklahoma Open
15 Meeting Act.

16 L. The Committee shall deliver a preliminary plan for the
17 renovation, repair and remodeling of the Jim Thorpe Office Building
18 to the Director of the Office of Management and Enterprise Services
19 no later than December 31, 2022. The preliminary plan shall include
20 the following components:

21 1. Establishment of the Office of Management and Enterprise
22 Services' goal and criteria for use by the vendor; and

23 2. Selection criteria for the design-build team vendor to be
24 selected through a Request For Proposal process.

1 M. Following receipt of the preliminary plan as approved by the
2 Committee, the Office of Management and Enterprise Services shall
3 solicit Requests For Proposals to select the vendor for the project.

4 N. The Committee shall deliver a final plan to the Director of
5 the Office of Management and Enterprise Services no later than June
6 30, 2023. The final plan shall include the following components:

7 1. Approval of the final scope of work developed by the vendor;
8 and

9 2. Approval of the project phasing developed by the vendor.

10 O. Following delivery of the final plan, the Committee shall
11 continue to oversee the expenditure of proceeds from the sale of
12 obligations issued pursuant to the provisions of this section until
13 completion of the renovation, repair and remodeling of the Jim
14 Thorpe Office Building. The Committee may also propose and approve
15 amendments to the plan as it deems appropriate.

16 P. The Director of the Office of Management and Enterprise
17 Services shall have responsibility to substantially implement the
18 plan as presented by the Committee.

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

1 Passed the House of Representatives the 21st day of March, 2022.

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4 Presiding Officer of the House
of Representatives

5 Passed the Senate the ____ day of _____, 2022.

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8 Presiding Officer of the Senate