

CORRECTED

HOUSE OF REPRESENTATIVES - FLOOR VERSION

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 4070

By: Wallace of the House

and

Hall of the Senate

COMMITTEE SUBSTITUTE

An Act relating to county economic development;
creating the Rural County Economic Development Act of
2024; authorizing certain reference; authorizing the
creation of County Economic Development Organization;
providing process and parameters of formation;
establishing limited purposes; providing for
appointment and organization of Organization members;
establishing eligibility criteria; prohibiting
compensation; authorizing certain reimbursement;
authorizing certain actions; providing and limiting
certain powers; authorizing certain delegation of
powers and duties; authorizing certain contracting;
authorizing certain county-option sales tax levy;
limiting levy; requiring submission to voters at
special election; requiring certain fund creation and
accounting; providing for codification; and providing
an effective date.

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

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1 SECTION 1. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 899.1 of Title 62, unless there
3 is created a duplication in numbering, reads as follows:

4 This act shall be known and may be cited as the "Rural County
5 Economic Development Act of 2024".

6 SECTION 2. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 899.2 of Title 62, unless there
8 is created a duplication in numbering, reads as follows:

9 A. The board of county commissioners of a county with a
10 population of one hundred thousand (100,000) or less, pursuant to
11 the last preceding Federal Decennial Census, are authorized, by
12 adoption of a resolution by a majority of the members of the board,
13 to form a County Economic Development Organization for the purpose
14 of implementing or enhancing economic development programs and
15 initiatives, including but not limited to efforts to encourage
16 economic development that generates new jobs and increases capital
17 investment in the county.

18 B. Each Organization created pursuant to this section shall be,
19 and is hereby declared to be a public body, corporate and politic,
20 with the powers and duties specified in this act.

21 SECTION 3. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 899.3 of Title 62, unless there
23 is created a duplication in numbering, reads as follows:

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1 A. Each county commissioner of a county with a County Economic
2 Development Organization shall appoint from their respective county
3 two (2) persons to serve as members of the County Economic
4 Development Organization.

5 B. Each Organization member shall have been a qualified elector
6 in the county from which the member is appointed for a period of not
7 less than three (3) years from the date of appointment.

8 C. Each Organization member shall serve at the pleasure of
9 their appointing county commissioner.

10 D. The members of the Organization shall elect a chair, a vice-
11 chair, and a treasurer from among its membership. A majority of the
12 Organization shall constitute a quorum, the affirmative vote of
13 which shall be necessary for any action taken by the Organization.

14 E. A member of the Organization shall receive no compensation
15 for services to the Organization, but may be reimbursed by the
16 political subdivision responsible for such appointment for expenses
17 incurred for attending meetings of the Organization.

18 F. No person shall be eligible for appointment as a member of
19 an Authority who has been convicted of a felony.

20 SECTION 4. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 899.4 of Title 62, unless there
22 is created a duplication in numbering, reads as follows:

23 A. County Economic Development Organization created under the
24 provisions of this act shall be authorized and empowered:

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1 1. To adopt bylaws for the regulation of its affairs and
2 conduct of its business;

3 2. To maintain an office as needed;

4 3. To sue and be sued, in contract, reverse condemnation,
5 equity, mandamus, and similar actions in its own name, plead and be
6 impleaded; provided however, that any and all actions at law or in
7 equity against the Organization shall be brought in the county in
8 which the principal office of the Organization shall be located or
9 the county wherein the cause of action arose;

10 4. To acquire, hold, and dispose of real and personal property
11 in the exercise of its powers and the performance of its duties
12 under this act;

13 5. To make and enter into all contracts and agreements
14 necessary or incidental to the performance of its duties and the
15 execution of its powers under this act;

16 6. To adopt such rules and regulations and do all things
17 necessary or convenient to carry out the powers and duties expressly
18 granted in this section;

19 7. To budget and expend funds made available to the
20 Organization in accordance with the provisions of the Rural County
21 Economic Development Act of 2024.

22 B. The authorizations and powers provided in subsection A of
23 this section may be performed directly by a County Economic
24 Development Organization or delegated to a third-party entity under

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1 the provisions of a contract entered into between the County
2 Economic Development Organization and such third-party entity.

3 SECTION 5. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 1370.10 of Title 68, unless
5 there is created a duplication in numbering, reads as follows:

6 A. Notwithstanding the provisions of Section 1370 of this title
7 and in accordance with the provisions of the Rural County Economic
8 Development Act of 2024, any county with a population of one hundred
9 thousand (100,000) or less, pursuant to the last preceding Federal
10 Decennial Census, of this state may levy a sales tax not to exceed
11 seventy-five one-hundredths of one percent (0.75%) upon the gross
12 proceeds or gross receipts derived from all sales or services in the
13 county upon which a consumer's sales tax is levied by the state,
14 except as provided in paragraph 8 of Section 1357 of Title 68 of the
15 Oklahoma Statutes, subject to the following conditions:

16 1. The proceeds of such sales tax shall be used solely for the
17 purposes provided in the Rural County Economic Development Act of
18 2024;

19 2. Before a sales tax may be levied by the county, the
20 imposition of the tax shall first be approved by a majority of the
21 registered voters of the county voting thereon at a special election
22 called by resolution of the board of county commissioners.

23 B. The board of county commissioners shall create a limited-
24 purpose fund and deposit therein any revenue generated by any sales

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1 tax levied pursuant to the provisions of subsection A of this
2 section. The fund shall be placed in an insured or collateralized
3 interest-bearing account and the interest which accrues to the fund
4 shall be retained in the fund. Monies in the limited-purpose fund
5 shall be expended only as accumulated and only for the purposes
6 specifically authorized by the Rural County Economic Development Act
7 of 2024.

8 SECTION 6. This act shall become effective November 1, 2024.

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10 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
11 02/15/2024 - DO PASS, As Amended and Coauthored.
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