

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 HOUSE BILL 4308

By: Blair

6 AS INTRODUCED

7 An Act relating to the Oklahoma Capitol Improvement
8 Authority; amending 73 O.S. 2021, Sections 159, 161,
as last amended by Section 1, Chapter 68, O.S.L.
9 2024, and Section 2, Chapter 1, 1st Extraordinary
Session, O.S.L. 2023, as amended by Section 1,
Chapter 393, O.S.L. 2024 (73 O.S. Supp. 2025, Section
10 161 and 187B), which relate to public finance
11 programs; modifying provisions related to investment
of certain monies; modifying provisions related to
12 powers of Oklahoma Capitol Improvement Authority;
modifying provisions related to administration of the
13 Legacy Capital Fund; providing an effective date; and
declaring an emergency.

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

17 SECTION 1. AMENDATORY 73 O.S. 2021, Section 159, is
18 amended to read as follows:

19 Section 159. The bonds shall be delivered to the purchaser
20 thereof only upon payment of par and accrued interest to the date of
21 delivery thereof, together with any premium bid, if any. The
22 proceeds of the sale of said bonds shall be deposited in the State
23 Treasury of the State of Oklahoma, in a fund which is hereby created
24 and designated the "Oklahoma Capitol Improvement Authority Fund",

1 where they shall remain subject to disposition to be provided for by
2 the Authority, provided that the State Treasurer of the State of
3 Oklahoma shall invest said monies ~~in interest bearing direct~~
4 ~~obligations of the United States of America as public funds under~~
5 Section 89.2 of Title 62 of the Oklahoma Statutes, or of the State
6 of Oklahoma, and provided further that all such investments of said
7 monies must be so made that the same may be liquidated in time to
8 enable the Authority to pay, in due course, the valid indebtedness
9 incurred by the Authority for the purposes set forth in this act.
10 Interest income derived from the investment of monies in the fund
11 shall be credited to and placed in the fund.

12 SECTION 2. AMENDATORY 73 O.S. 2021, Section 161, as last
13 amended by Section 1, Chapter 68, O.S.L. 2024 (73 O.S. Supp. 2025,
14 Section 161), is amended to read as follows:

15 Section 161. In addition to all other powers expressly
16 conferred, the Authority is hereby authorized and empowered:

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

19 2. To adopt an official seal and alter the same at pleasure;

20 3. To fix and revise from time to time rent for the use of any
21 Authority building; provided, that the rents when so fixed, plus
22 revenues derived from other sources, shall produce sufficient
23 revenue:

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- a. to pay the annual cost of the operation, maintenance, and repair of such building,
- b. to pay as and when due the principal and interest on the bonds issued to pay for such building, and
- c. to accumulate and maintain reserves for such purposes;

6 4. To acquire, hold, improve, and dispose of real and personal
7 property in the exercise of its powers and the performance of its
8 duties under this act, and on behalf of other agencies of the state
9 as provided for in memoranda of understanding entered into between
10 the Authority and such agency or agencies of the state;

11 5. To acquire by purchase or otherwise, on such terms and
12 conditions and in such manner as it may deem proper, or by the
13 exercise of the power of condemnation in the manner hereinafter
14 provided, such public or private property and interests therein as
15 it may deem necessary for carrying out the provisions of this act.

16 The exercise of the power of condemnation shall be in accordance
17 with and subject to the provisions of any and all existing laws and
18 statutes applicable to the exercise of the power of condemnation of
19 property for public use. In any condemnation proceedings the court
20 having jurisdiction of the suit, action or proceeding may make such
21 orders as may be just to the Authority and to the owners of the
22 property to be condemned and may require an undertaking or other
23 security to secure such owners against any loss or damage by reason
24 of the failure of the Authority to accept and pay for the property,

1 but neither such undertaking or security nor any act or obligation
2 of the Authority shall impose any liability upon the state or the
3 Authority except such as may be paid from the funds provided under
4 the provisions of the act;

5 6. To make and enter into all contracts and agreements
6 necessary or incidental to the performance of its duties and the
7 execution of its powers under this act, and particularly to make and
8 enter into contracts and agreements with the departments and
9 agencies of the State of Oklahoma and/or federal government relating
10 to the rent, amortization of cost, and use of the building by such
11 departments and agencies, or relating to the construction,
12 improvement, repair, and maintenance of the highway infrastructure
13 in this state;

14 7. To employ employees from the Office of the State Treasurer
15 and agents as may be necessary in its judgment, including, but not
16 limited to, legal counsel and such other professionals as may be
17 needed for the issuance and administration of bonds issued under the
18 provisions of this title and to fix their compensation; provided,
19 that all such expenses shall be payable solely from the proceeds of
20 bonds issued under this act or from revenues derived from the
21 building;

22 8. To receive and accept from any federal agency grants or
23 payments for or in aid of the construction of any project, and to
24 receive and accept aid or contributions from any source of either

1 money, property, labor, or other things of value to be held, used,
2 and applied only for the purposes for which such grants and
3 contributions may be made;

4 9. To do any and all things necessary to comply with rules,
5 regulations, or requirements of any state or federal agency
6 administering any law enacted by the Congress of the United States
7 to aid or encourage the construction or use of such building;

8 10. To do all things necessary or convenient to carry out the
9 powers expressly granted in this act; and

10 11. To administer the Legacy Capital Financing Act.

11 SECTION 3. AMENDATORY Section 2, Chapter 1, 1st
12 Extraordinary Session, O.S.L. 2023, as amended by Section 1, Chapter
13 393, O.S.L. 2024 (73 O.S. Supp. 2025, Section 187B), is amended to
14 read as follows:

15 Section 187B. A. There is hereby created in the State Treasury
16 a revolving fund for the Oklahoma Capitol Improvement Authority to
17 be designated the "Legacy Capital Financing Fund". The fund shall
18 be a continuing fund, not subject to fiscal year limitations, and
19 shall consist of all monies received by the Oklahoma Capitol
20 Improvement Authority eligible under law and directed for deposit.
21 All monies accruing to the credit of said fund are hereby
22 appropriated and may be budgeted and expended by the Oklahoma
23 Capitol Improvement Authority for capital projects specifically and
24 exclusively as authorized by law. Such budgeting and expenditure

1 shall strictly adhere to the specific terms, limitations, purposes,
2 and requirements described in such authorizations and in this act.
3 Expenditures from said fund shall be made upon warrants issued by
4 the State Treasurer against claims filed as prescribed by law with
5 the Director of the Office of Management and Enterprise Services for
6 approval and payment.

7 B. 1. The Oklahoma Capitol Improvement Authority shall be
8 authorized to enter into memoranda of understanding with agencies,
9 departments, and subdivisions of the state as provided by law and as
10 deemed necessary by the Authority to administer expenditures from
11 and deposits to the Legacy Capital Financing Fund; provided that
12 such memoranda of understanding do not conflict with or impede the
13 administration of capital projects specifically authorized by law.
14 Such memoranda of understanding shall not constitute a legal
15 obligation of the State of Oklahoma.

16 2. a. Unless specified otherwise in the applicable
17 authorizing legislation, all distributions from the
18 Legacy Capital Financing Fund shall be returned to the
19 Fund over a twenty-year period. Such distributions
20 shall be returned in the form of LCF Recapitalization
21 Payments as provided in subparagraph b of this
22 paragraph.

23 b. The annual LCF Recapitalization Payment required of
24 entities in receipt of Legacy Capital Financing Fund

distributions shall be equal to one-twentieth (1/20) of the amount distributed to the entity. Such payment shall be collected by the Oklahoma Capitol Improvement Authority in equal monthly installments and deposited to the Legacy Capital Financing Fund; provided, that in the year of initial distribution no monthly payment shall be made until the second month after such distribution. Upon such second month, all monthly payments for such state fiscal year up to that point shall become payable.

c. (1) By authorizing distributions from the Legacy Capital Financing Fund and making recipients of such funds responsible for LCF Recapitalization Payments, the Legislature voluntarily subjects itself to the moral obligation that the Legislature shall appropriate to recipient state agencies, otherwise receiving legislative appropriations, the first annual required LCF Recapitalization Payment for the state fiscal year for which the distribution was authorized, and that such appropriated amount shall remain in the agency's appropriation base for the duration of the LCF Recapitalization period for such project.

(2) The Legislature, as it deems necessary for the best interests of the state, may suspend or restructure for a period of time such LCF Recapitalization Payments through the adoption of a concurrent resolution.

C. Limited to the extent required for projects specifically authorized through the Legacy Capital Financing Act, the Oklahoma Capitol Improvement Authority shall be authorized to:

1. Acquire real property together with improvements located thereon and personal property;

2. Provide for the construction of improvements to real property and to provide funding for repairs, refurbishments, and improvements to real and personal property;

3. Hold title to property and improvements as necessary to comply with legal directives and authorizations; and

4. Lease, transfer, and otherwise legally dispose of property and improvements as necessary to comply with legal directives and authorizations.

D. No later than January 15 annually, the Oklahoma Capitol Improvement Authority shall submit electronically to the Governor, the Speaker of the Oklahoma House of Representatives, the President Pro Tempore of the Oklahoma State Senate, the Appropriations and Budget Chair of the Oklahoma House of Representatives, and the Appropriations Chair of the Oklahoma State Senate a report detailing

1 impacts to the balance of the Legacy Capital Financing Fund
2 occurring in the prior calendar year, including, but not limited to,
3 all distributions, expenditures, collections, deposits and
4 investment returns of the Legacy Capital Financing Fund.

5 E. Notwithstanding any provision of law to the contrary, all
6 interest and income derived from deposits to the Legacy Capital
7 Financing Fund shall be credited to the Legacy Capital Financing
8 Fund and may be budgeted and expended by the Oklahoma Capitol
9 Improvement Authority for the administration of those capital
10 projects specifically and exclusively authorized by law.

11 SECTION 4. This act shall become effective July 1, 2026.

12 SECTION 5. It being immediately necessary for the preservation
13 of the public peace, health or safety, an emergency is hereby
14 declared to exist, by reason whereof this act shall take effect and
15 be in full force from and after its passage and approval.

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