

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

COMMITTEE SUBSTITUTE
FOR

SENATE BILL NO. 1169

By: Hall and Haste of the
Senate

and

Caldwell (Trey) and Kane of
the House

COMMITTEE SUBSTITUTE

An Act relating to state property; amending 62 O.S. 2021, Section 901, which relates to the Long-Range Capital Planning Commission; prescribing duties of the Commission; amending Sections 3 and 2, Chapter 441, O.S.L. 2024 (73 O.S. Supp. 2024, Sections 188A and 188B), which relate to the Oklahoma Capital Assets Maintenance and Protection Act; dissolving the Oklahoma Capital Assets Management and Protection Board; requiring the Long-Range Capital Planning Commission to develop and update certain plans; modifying allocation requirements of funds deposited in the Oklahoma Capital Assets Maintenance and Protection Fund; eliminating fiscal year allocation limitation; updating statutory language; updating statutory references; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 62 O.S. 2021, Section 901, is amended to read as follows:

1 Section 901. A. There is hereby created a Long-Range Capital
2 Planning Commission to advise and assist the Legislature in
3 providing for real property capital facility needs for this state.
4 The Commission shall consist of nine (9) members as follows:

5 1. Three members appointed by the President Pro Tempore of the
6 Senate;

7 2. Three members appointed by the Speaker of the House of
8 Representatives; and

9 3. Three members ~~shall be~~ appointed by the Governor.

10 All appointees shall be from the public at large. Within thirty
11 (30) days of ~~the effective date of this act~~ July 1, 2013, the
12 appointing authorities shall appoint new members to the Commission;
13 provided, a member serving on ~~the effective date of this act~~ July 1,
14 2013, may be reappointed if he or she is otherwise qualified. Of
15 the members initially appointed by each appointing authority after
16 ~~the effective date of this act~~ July 1, 2013, one shall be appointed
17 for a one-year term, one shall be appointed for a two-year term and
18 one shall be appointed for a three-year term. Thereafter, their
19 successors shall be appointed for four-year terms. Any vacancy
20 shall be filled for the remainder of the unexpired term in the same
21 manner as the original appointment. The appointing authorities
22 shall appoint members who possess knowledge, skills and abilities to
23 perform the duties of the Commission. No member of the Commission
24 shall be interested, directly or indirectly, in any contract entered

1 into for a project approved by the Commission during the period of
2 service of the member, nor shall any person be appointed as a member
3 of the Commission if such person is interested, directly or
4 indirectly, in a contract entered into for a project approved prior
5 to the appointment. An indirect interest shall include, but not be
6 limited to, an interest of an immediate family member of the member
7 of the Commission or a business with which the member of the
8 Commission is associated.

9 B. A chair of the Commission shall be elected from its
10 membership. Five members of the Commission shall constitute a
11 quorum. Members of the Commission shall serve without compensation,
12 but shall be entitled to reimbursement, pursuant to the State Travel
13 Reimbursement Act, for expenses incurred in the performance of their
14 duties.

15 C. Initial appointments to the Commission shall be made within
16 thirty (30) days of ~~the effective date of this act~~ May 28, 1992.

17 D. The Commission shall have the authority to promulgate rules
18 and regulations necessary to implement the provisions of ~~this act~~
19 the State Capital Improvement Planning Act.

20 E. The Office of Management and Enterprise Services, with the
21 advice and assistance of the ~~Oklahoma State Bond Advisor~~ Deputy
22 Treasurer for Debt Management, shall provide staffing for the
23 Commission and other such assistance as the Commission may require.
24

1 F. 1. The Commission shall prepare each year an annual capital
2 plan budget and a state capital plan for addressing state capital
3 facility needs for the next ensuing eight (8) years. The Oklahoma
4 State Regents for Higher Education and each state governmental
5 entity as defined in Section 695.3 of this title shall cooperate
6 with the Commission in the preparation of the state plan. Each
7 year, on or about December 1, the plan shall be submitted to the
8 Governor, Speaker of the House of Representatives and President Pro
9 Tempore of the Senate. The Long-Range Capital Planning Commission
10 shall annually update the eight-year plan. The Office of Management
11 and Enterprise Services shall perform routine services to support
12 the eight-year plan, including, but not limited to, agency-level
13 planning, real estate services, construction services and facility
14 operations as provided by law.

15 2. In addition to the requirements set forth in Section ~~10~~
16 901.1 of this ~~act~~ title, the capital plan should:

- 17 a. supplement and integrate, not replace, existing
18 capital planning processes,
- 19 b. assess long-term needs for capital facilities to
20 support state government needs as determined by the
21 Commission,
- 22 c. review and assess the inventory of capital facilities
23 held by the state, and make recommendations on
24

- 1 reallocation, reuse or liquidation of properties for
2 incorporation into the annual capital plan,
- 3 d. include a projection of economic and demographic
4 trends likely to influence the needs of state
5 government during the eight-year period,
- 6 e. address agency strategic facility plans for new,
7 improved, renovated, or expanded capital facilities or
8 facilities that should be reallocated or liquidated,
- 9 f. include estimates of life cycle costs for new and
10 substantially expanded or renovated facilities,
- 11 g. evaluate the effectiveness of planning processes at
12 the agency level to account for all capital facility
13 costs for incorporation into the annual capital
14 budget,
- 15 h. account for projections of debt service and revenues
16 available from general obligation bonds and other
17 sources, including, but not limited to, the
18 Maintenance of State Buildings Revolving Fund,
- 19 i. analyze the capacity of the state to incur debt or
20 finance public capital facilities,
- 21 j. include a comprehensive listing of all capital
22 expenditures of the state which the Commission
23 recommends be undertaken or continued for any state
24 agency in the next two (2) fiscal years, together with

1 information as to the effect of such capital projects
2 on future operating expenses of the state, and with
3 recommendations as to the priority of such capital
4 projects and the means of funding them,

5 k. forecast the requirements for capital projects of
6 state agencies for the ~~eight-year period~~ eight-year
7 period and for such additional periods, if any, as may
8 be necessary or desirable for adequate presentation of
9 particular capital projects, and include a schedule
10 for the planning and implementation or construction of
11 such capital projects,

12 l. set forth a proposed itemized budget for the next
13 fiscal year of recommended capital expenditures
14 inclusive of all funding sources, for each agency,
15 including facility rent and lease payments, energy and
16 utility expenditures, operations and maintenance,
17 capital improvements and capital development projects
18 as necessary to optimize and preserve the state's
19 capital assets,

20 m. include the findings of the Oklahoma State Government
21 Asset Reduction and Cost Savings Program and the
22 indexing of the most necessary capital improvements to
23 the expenditure of funds from the Maintenance of State
24 Buildings Revolving Fund,

- 1 n. include such other information as the Commission deems
2 relevant to its duties, and
3 o. include findings of the Oklahoma State Government
4 Asset Reduction and Cost Savings Program and the
5 indexing of the most necessary capital improvements to
6 the expenditure of funds from the Maintenance of State
7 Buildings Revolving Fund.

8 G. The capital plan budget shall include, for each expenditure
9 and class of expenditures, the capital facility costs to be incurred
10 during the next ensuing fiscal year, inclusive of the annual
11 operating and maintenance costs of such facilities and a schedule of
12 depreciation calculated in accordance with the principles and
13 standards of capital budgeting authorized by subsection H of this
14 section.

15 H. The Commission, with the assistance of the Office of
16 Management and Enterprise Services, shall prepare and publish rules
17 and regulations that set forth principles and standards for capital
18 planning and budgeting to be used by state agencies. The rules and
19 regulations shall set forth definitions of relevant terms to be used
20 in the capital planning and budgeting processes, establish
21 accounting standards and standards for costs and benefits of public
22 facility investments.

23 I. 1. The Commission, the Office of Management and Enterprise
24 Services, and the ~~Oklahoma State Bond Advisor~~ Deputy Treasurer for

1 Debt Management may request the assistance of such personnel of any
2 state agency in order to perform their duties pursuant to the State
3 Capital Improvement Planning Act and such agencies shall respond and
4 provide any such assistance as may be required. The Commission may
5 use existing studies, surveys, plans, data and other materials in
6 the possession of any state agency. Each such agency shall make the
7 same available to the Commission so that the Commission may have
8 available to it current information with respect to the capital
9 plans and programs of each such agency.

10 2. The officers and personnel of any state agency may serve at
11 the request of the Commission upon such advisory committees as the
12 Commission may create and such officers and personnel may serve upon
13 such committees without forfeiture of office or employment and with
14 no loss or diminution of the compensation, status, rights and
15 privileges which they otherwise enjoy.

16 J. This section shall not be applicable to the following or
17 their lands, properties, buildings, funds or revenue:

- 18 1. The Oklahoma Ordnance Works Authority; and
- 19 2. The Commissioners of the Land Office.

20 K. The Commission shall develop plans, adopt authorizations,
21 and fulfill the duties required pursuant to Section 188A of Title 73
22 of the Oklahoma Statutes.

SECTION 2. AMENDATORY Section 3, Chapter 441, O.S.L.
2024 (73 O.S. Supp. 2024, Section 188A), is amended to read as
follows:

Section 188A. A. ~~There is hereby created the Oklahoma Capital~~
~~Assets Management and Protection Board (OCAMP Board).~~ The Board
Long-Range Capital Planning Commission shall develop plans and adopt
authorizations directing the Oklahoma Capitol Improvement Authority
on the utilization of Oklahoma Capital Assets Maintenance and
Protection Fund monies.

B. ~~The Board shall consist of members to be appointed as~~
~~follows:~~

1. ~~Three members appointed by the Governor, at least one of~~
~~whom shall have no less than ten (10) years of experience in the~~
~~construction industry;~~

2. ~~The Chancellor of Higher Education or a designee; and~~

3. ~~The Executive Director of the Oklahoma Tourism and~~
~~Recreation Department or a designee.~~

C. ~~The chair and vice chair of the Board shall be elected by~~
~~the Board members at the first meeting of the Board and shall~~
~~preside over meetings of the Board and perform other duties as may~~
~~be required by the Board. The Board shall elect a chair and vice~~
~~chair no less than once a calendar year.~~

~~D.~~ 1. The Board Commission shall develop and adopt the
following five-year plans to provide for allocations and

1 expenditures of the Oklahoma Capital Assets Maintenance and
2 Protection Fund as follows:

- 3 a. the OCAMP Higher Education Five-year Plan, for the
4 maintaining and repairing of state-owned properties
5 and buildings of public institutions of higher
6 learning,
- 7 b. the OCAMP Tourism and Recreation Five-year Plan, for
8 the maintaining and repairing of properties and
9 buildings of state parks operated by the Oklahoma
10 Tourism and Recreation Department, and
- 11 c. the OCAMP State Five-year Plan, for the maintaining
12 and repairing of all state-owned properties and
13 buildings.

14 2. For fiscal ~~years 2026 through 2028~~ year 2026, the ~~Board~~
15 Commission shall allocate Oklahoma Capital Assets Maintenance and
16 Protection Fund monies to such five-year plans in the following
17 proportions:

- 18 a. the OCAMP Higher Education Five-year Plan shall be
19 allocated forty-five percent (45%) of such monies.
20 ~~Twenty percent (20%) of those monies allocated shall~~
21 ~~be for comprehensive institutions of higher education~~
22 ~~within The Oklahoma State System of Higher Education,~~
23 ~~fifty percent (50%) for all four-year colleges and~~
24 ~~universities except the University of Oklahoma located~~

1 ~~in Norman, Oklahoma, and Oklahoma State University~~
2 ~~located in Stillwater, Oklahoma, and thirty percent~~
3 ~~(30%) for two-year institutions of higher education~~
4 ~~within The Oklahoma State System of Higher Education.~~
5 for the following:

6 (1) twenty percent (20%) of those monies allocated
7 shall be for four-year colleges and universities
8 receiving a Research Colleges and Universities
9 designation from the Carnegie Classification of
10 Institutions of Higher Education to be further
11 allocated as follows:

12 (a) fifty percent (50%) for those colleges and
13 universities defined as a historically black
14 college or university pursuant to the
15 federal Higher Education Act of 1965, as
16 amended, and

17 (b) fifty percent (50%) of those monies
18 allocated shall be for other colleges and
19 universities,

20 (2) thirty-five percent (35%) of those monies
21 allocated shall be for two-year institutions of
22 higher education within The Oklahoma State System
23 of Higher Education, and
24

1 (3) forty-five percent (45%) of those monies
2 allocated shall be for all 4-year colleges and
3 universities except the University of Oklahoma
4 located in Norman, Oklahoma, and Oklahoma State
5 University located in Stillwater, Oklahoma,

- 6 b. the OCAMP Tourism and Recreation Five-year Plan shall
7 be allocated ten percent (10%) of such monies, and
8 c. the OCAMP State Five-year Plan shall be allocated
9 forty-five percent (45%) of such monies.

10 ~~E.~~ C. The ~~Board~~ Commission shall update each five-year plan no
11 less often than biennially. Upon the adoption of such plans and
12 upon each update to such plans, a report detailing such plans shall
13 be submitted by electronic means to the Governor, the President Pro
14 Tempore of the Senate, and the Speaker of the House of
15 Representatives.

16 ~~F.~~ D. The Office of Management and Enterprise Services, with
17 the advice and assistance of the Oklahoma Capitol Improvement
18 Authority, shall provide staffing for the ~~Board~~ Commission and other
19 such assistance as the ~~Board~~ Commission may require.

20 ~~G.~~ E. The ~~Board~~ Commission may direct the Oklahoma Capitol
21 Improvement Authority to allocate, budget, and expend, either
22 directly or under the terms of memoranda of understanding lawfully
23 entered into with other state entities, monies from the Oklahoma
24 Capital Assets Maintenance and Protection Fund on any project or

1 item that has been included in an applicable five-year plan
2 authorized under the provisions of ~~this act~~ the Oklahoma Capital
3 Assets Maintenance and Protection Act for no less than one (1) year.

4 SECTION 3. AMENDATORY Section 2, Chapter 441, O.S.L.
5 2024 (73 O.S. Supp. 2024, Section 188B), is amended to read as
6 follows:

7 Section 188B. A. There is hereby created in the State Treasury
8 a revolving fund for the Oklahoma Capitol Improvement Authority to
9 be designated the "Oklahoma Capital Assets Maintenance and
10 Protection Fund" (OCAMP Fund). The fund shall be a continuing fund,
11 not subject to fiscal year limitations, and shall consist of all
12 monies received by the Oklahoma Capitol Improvement Authority
13 eligible under law and directed for deposit to the fund. All monies
14 accruing to the credit of the fund are hereby appropriated and,
15 except for the transfer required pursuant to Enrolled Senate Bill
16 No. 1125 of the 2nd Session of the 59th Oklahoma Legislature, may be
17 allocated, budgeted, and expended by the Oklahoma Capitol
18 Improvement Authority as directed by the ~~Oklahoma Capital Assets~~
19 ~~Management and Protection Board created in Section 3 of this act~~
20 Long-Range Capital Planning Commission. Such allocations,
21 budgeting, and expenditures shall strictly adhere to the specific
22 terms, limitations, purposes, and requirements described in the
23 directive adopted by the ~~Oklahoma Capital Assets Management and~~
24 ~~Protection Board~~ Commission. Expenditures from the fund shall be

1 made upon warrants issued by the State Treasurer against claims
2 filed as prescribed by law with the Director of the Office of
3 Management and Enterprise Services for approval and payment.

4 B. The Oklahoma Capitol Improvement Authority shall be
5 authorized to enter into memoranda of understanding with agencies,
6 departments, and subdivisions of the state as provided by law and as
7 deemed necessary by the Authority to administer expenditures from
8 and allocations and deposits to and from the Oklahoma Capital Assets
9 Maintenance and Protection Fund, provided that such memoranda of
10 understanding do not conflict with or impede the administration of
11 capital projects specifically authorized by law or directed by the
12 ~~Oklahoma Capital Assets Management and Protection Board~~ Commission.
13 Such memoranda of understanding shall not constitute a legal
14 obligation of ~~the State of Oklahoma~~ this state.

15 C. Limited to the extent required for projects specifically
16 authorized under the provisions of ~~this act~~ the Oklahoma Capital
17 Assets Maintenance and Protection Act, the Oklahoma Capitol
18 Improvement Authority shall be authorized to:

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

21 2. Provide for the construction of improvements to real
22 property and to provide funding for repairs, refurbishments,
23 deferred maintenance, and improvements to real and personal
24 property;

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

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

6 D. No later than January 15 annually, the Oklahoma Capitol
7 Improvement Authority shall submit electronically to the Governor,
8 the President Pro Tempore of the Senate, the Speaker of the House of
9 Representatives, the Chair of the Appropriations Committee of the
10 Senate, and the Chair of the Appropriations and Budget Committee of
11 the House of Representatives a report detailing impacts to the
12 balance of the Oklahoma Capital Assets Maintenance and Protection
13 Fund occurring in the prior calendar year, including, but not
14 limited to, all distributions, expenditures, collections, and
15 deposits of the Oklahoma Capital Assets Maintenance and Protection
16 Fund.

17 ~~E. No allocations shall be made by the Oklahoma Capital Assets~~
18 ~~Management and Protection Board from the Oklahoma Capital Assets~~
19 ~~Maintenance and Protection Fund in fiscal year 2025. Allocations~~
20 ~~made by the Board from the Fund shall not exceed Seventy-five~~
21 ~~Million Dollars (\$75,000,000.00) in each fiscal year for fiscal~~
22 ~~years 2026 through 2028.~~

23 SECTION 4. This act shall become effective July 1, 2025.
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1 SECTION 5. It being immediately necessary for the preservation
2 of the public peace, health or safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval.

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