

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 4310

By: Blair

6 AS INTRODUCED

7 An Act relating to public finance; amending 62 O.S.
8 2021, Section 695.8, which relates to the powers and
9 duties of the Council of Bond Oversight; providing
10 for apportionment of fee to the State Treasurer
11 Revolving Fund; providing for expenditure of funds;
12 repealing 62 O.S. 2021, Section 695.8a, which relates
13 to the Bond Oversight Revolving Fund; providing for
14 disposition of fund balance; providing for
15 noncodification; providing an effective date; and
16 declaring an emergency.

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

18 SECTION 1. AMENDATORY 62 O.S. 2021, Section 695.8, is
19 amended to read as follows:

20 Section 695.8. A. The Council of Bond Oversight shall:

21 1. Make determinations as to whether the purposes for which
22 obligations proposed to be issued by a State Governmental Entity, in
23 conjunction with a State Governmental Entity Financing, are for the
24 furtherance and accomplishment of authorized and proper public
functions or purposes of the state or of any county or municipality,

1 as specified in the statutes governing public trusts organized
2 pursuant to Title 60 of the Oklahoma Statutes;

3 2. Review proposed issuance of debt by State Governmental
4 Entities for compliance with any applicable provisions of federal,
5 state or other laws;

6 3. Review such other matters as the Council deems relevant to
7 the Application, including, without limitation, sources of repayment
8 and security for the obligation. However, the Council shall not
9 review the merits of the project. The Council shall only determine
10 that the project has a legal and beneficial purpose which can be
11 legitimately funded by bond or similar indebtedness, issued by a
12 State Governmental Entity or Local Governmental Entity;

13 4. a. Except as provided in subparagraph b of this
14 paragraph, review the findings of the Program
15 Development and Credit Review Committee to determine
16 if the Rules Regarding the Administration of the
17 Credit Enhancement Reserve Fund and related
18 regulations and policies as implemented by the
19 Oklahoma Development Finance Authority adequately and
20 sufficiently fulfill the intents and purposes of the
21 Credit Enhancement Reserve Fund Act, provided such
22 provision shall not apply to Credit Enhancement
23 Reserve Fund applications approved by the Bond
24 Oversight Commissions prior to May 30, 1990; and,

except as provided in subparagraph b of this paragraph, approve or disapprove any bonds or indebtedness being issued by the Oklahoma Development Finance Authority to the extent the bonds or indebtedness are enhanced or supported pursuant to the Credit Enhancement Reserve Fund Act.

b. The Council shall not be required to review or approve individual projects or loans under the Small Business Credit Enhancement Program created by Section 5063.4b of Title 74 of the Oklahoma Statutes, or the Oklahoma Beginning Agricultural Producer Pool Act, but may approve a package of such projects or loans in advance. Each project or loan shall be individually listed in the package and the dollar amount of the project or loan shall be specifically set out together with the total dollar amount involved in the package. The Council or the Deputy Treasurer for Debt Management may, in their discretion, remove any such individual project or loan from the package submitted, for individual action. Should the Oklahoma Development Finance Authority submit an application to the Council for the approval of an obligation or credit enhancement under these two programs, the application shall be deemed approved if not

disapproved by the Council within forty-five (45) days of filing such an application or, as to an individual project or loan, removed from the submitted package within such forty-five-day period.

c. The Council may establish maximum compensation levels to be paid to individuals and firms acting in a fiduciary capacity in connection with Credit Enhancement Reserve Fund Program financings. The Council may set such compensation levels for a one-year period and such compensation will be applicable to all individuals and firms participating in the program for that period. Providers of such services selected prior to making application may be employed subject to the established maximum compensation levels. Prior to December 31 of each year, the Council shall review market conditions and set new compensation levels for the program. Provided, such compensation levels may not exceed the compensation levels obtained by the Oklahoma Development Finance Authority through its most recent invitation to bid for the services of individuals and firms acting in a fiduciary capacity in connection with Credit Enhancement Reserve Fund Program financing; and

1 5. Adopt, amend and repeal rules to regulate affairs of the
2 Council and to implement the powers and purposes of the Council.

3 B. The Council and Deputy Treasurer for Debt Management, in
4 order to fulfill their duties pursuant to the Oklahoma Bond
5 Oversight and Reform Act, shall be authorized to charge and collect
6 a fee, in accordance with the rules of the Council, derived from
7 proceeds of bond issues approved by the Council. Such fees shall
8 accrue to the credit of the State Treasurer's Revolving Fund
9 established under Section 89.5 of this title. All monies collected
10 under this section accruing to the credit of said fund may be
11 budgeted and expended by the Office of the State Treasurer for
12 expenditures deemed necessary for the administration within the
13 Office of the State Treasurer.

14 SECTION 2. NEW LAW A new section of law not to be
15 codified in the Oklahoma Statutes reads as follows:

16 Any funds appropriated to, in the possession of, or allocated to
17 the Bond Oversight Revolving Fund established under Section 695.8a
18 of this title shall be deemed to be funds of and shall be
19 transferred to the State Treasurer's Revolving Fund.

20 SECTION 3. REPEALER 62 O.S. 2021, Section 695.8a, is
21 hereby repealed.

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

23 SECTION 5. It being immediately necessary for the preservation
24 of the public peace, health or safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.
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