

An Act

ENROLLED HOUSE
BILL NO. 2351

By: Miller and Jones of the
House

and

Johnson (Mike),
Crutchfield, Myers and
Adelson of the Senate

An Act relating to public finance; amending Section 1, Chapter 417, O.S.L. 2005 (73 O.S. Supp. 2007, Section 332), which relates to the Oklahoma Capitol Improvement Authority; modifying authorized issuance amount for certain assets; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 1, Chapter 417, O.S.L. 2005 (73 O.S. Supp. 2007, Section 332), is amended to read as follows:

Section 332. A. In addition to any other authorization provided by law, the Oklahoma Capitol Improvement Authority is authorized to issue obligations to provide funding for repairs, refurbishments and improvements to real and personal property and for funding for completion of renovation of the Wiley Post Historical Building for occupancy by the appellate courts with debt retirement payments to be made as provided herein.

B. The Authority may hold title to the real and personal property and improvements until such time as any obligations issued for this purpose are retired or defeased and may lease the real property and improvements to the state appellate courts. Upon final redemption or defeasance of the obligations created pursuant to this section, title to the real and personal property and improvements

shall be transferred from the Oklahoma Capitol Improvement Authority to the Oklahoma Supreme Court.

C. For the purpose of paying the costs for acquisition and construction of the real property and improvements and personal property and making the repairs, refurbishments, and improvements to real and personal property, and providing funding for the project authorized in subsection A of this section, and for the purpose authorized in subsection D of this section, the Authority is hereby authorized to borrow monies on the credit of the income and revenues to be derived from the leasing of such real and personal property and improvements, and in anticipation of the collection of such income and revenues, to issue notes, bonds or other evidences of obligation in an amount necessary to generate net proceeds of ~~Twenty-one Million Six Hundred Fifty Thousand Dollars~~ ~~(\$21,650,000.00)~~ Thirty-two Million Six Hundred Fifty Thousand Dollars (\$32,650,000.00) after providing for the costs of issuance, credit enhancement, reserves and other expenses related to the financing. Net proceeds of the financing will be deposited into a construction fund to provide for the financing of the project described in subsection A of this section. Earnings that result from the investment of the construction fund may be used for the project authorized in subsection A of this section or for other legal purposes approved by the Authority, whether issued in one or more series. It is the intent of the Legislature to appropriate to the Oklahoma Supreme Court sufficient monies to make rental payments for the purposes of retiring the obligations created pursuant to this section. To the extent funds are available from the proceeds of the borrowing authorized by this subsection, the Oklahoma Capitol Improvement Authority shall provide for the payment of professional fees and associated costs related to the projects authorized in subsection A of this section.

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

E. The obligations authorized under this section may be sold at either competitive or negotiated sale, as determined by the Authority, and in such form and at such prices as may be authorized

by the Authority. The Authority may enter into agreements with such credit enhancers and liquidity providers as may be determined necessary to efficiently market the obligations. The obligations may mature and have such provisions for redemption as shall be determined by the Authority, but in no event shall the final maturity of such obligations occur later than thirty (30) years from the first principal maturity date.

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

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

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

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

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

Passed the House of Representatives the 21st day of May, 2008.

David Dealy
Presiding Officer of the House of
Representatives

Passed the Senate the 22nd day of May, 2008.

Susan Paddock
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Governor this 23rd
day of May, 2008,
at 3:05 o'clock P M.

By: [Signature]

Approved by the Governor of the State of Oklahoma the 2nd day of
June, 2008, at 10:08 o'clock P M.

[Signature]
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this _____
3rd day of June, 2008,
at 2:20 o'clock P M.

By: [Signature]