

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 HOUSE BILL 2432

By: Roberts (Sean)

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5  
6 AS INTRODUCED

7 An Act relating to public finance; amending 62 O.S.  
8 2011, Section 855, as amended by Section 1, Chapter  
9 381, O.S.L. 2015 (62 O.S. Supp. 2018, Section 855),  
10 which relates to the Local Development Act; modifying  
11 membership of review committee; providing for county  
12 assessor membership; and providing an effective date.

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

13 SECTION 1. AMENDATORY 62 O.S. 2011, Section 855, as  
14 amended by Section 1, Chapter 381, O.S.L. 2015 (62 O.S. Supp. 2018,  
15 Section 855), is amended to read as follows:

16 Section 855. A. Prior to the adoption and approval of a  
17 project plan and the ordinance or resolution required under Section  
18 856 of this title and prior to the public hearing required under  
19 Section 859 of this title, the governing body shall appoint a review  
20 committee to review and make a recommendation concerning the  
21 proposed district, plan or project. The membership of the review  
22 committee shall consist of the following: the county assessor of the  
23 county within which the proposed district is to be located; a  
24 representative of the governing body who shall serve as chairperson;

1 a representative of the planning commission having jurisdiction over  
2 the proposed district; a representative designated by each taxing  
3 jurisdiction within the proposed district whose ad valorem taxes  
4 might be impacted according to the plan; and three members  
5 representing the public at large and selected by the other committee  
6 members from a list of seven names submitted by the chairperson of  
7 the review committee; provided, at least one of the members  
8 representing the public at large shall be a representative of the  
9 business community in the city, town, or county considering the  
10 proposed plan and project, and if a proposed plan objective is  
11 development of principally commercial retail, such representative  
12 shall be either a retailer or a representative of a retail  
13 organization.

14 B. The review committee shall consider and make its findings  
15 and recommendations to the governing body with respect to the  
16 conditions establishing the eligibility of the proposed district.  
17 The review committee recommendations shall include the analysis used  
18 to project revenues over the life of the project plan, the effect on  
19 the taxing entities and the appropriateness of the approval of the  
20 proposed plan and project. The review committee may recommend that  
21 the project plan be approved, denied or approved subject to  
22 conditions set forth by the committee.

23 C. Prior to approval by the governing body, the review  
24 committee shall consider and determine whether the proposed plan and

1 project will have a financial impact on any taxing jurisdiction and  
2 business activities within the proposed district and shall report  
3 its findings to the governing body. Such considerations shall be  
4 concurrent with or subsequent to the review and consideration of the  
5 committee provided for in subsection B of this section. The  
6 approval of any district plan or project by the governing body shall  
7 address any findings of such impact by the review committee.

8 D. In the event of any changes in the area to be included in  
9 the proposed district or any substantial changes in the proposed  
10 plan and project or for any other reason deemed appropriate by the  
11 governing body, the review committee shall consider and may modify  
12 its findings and recommendations made pursuant to the provisions of  
13 subsection B of this section.

14 E. Approval of the proposed district or the proposed plan or  
15 project by the governing body which is in accord with the  
16 recommendation of the review committee shall be by a majority vote  
17 of the governing body. Such approval which is not in accord with  
18 the recommendations and/or conditions set forth by the review  
19 committee shall be by a two-thirds (2/3) majority vote.

20 F. Meetings of the review committee shall be subject to the  
21 Oklahoma Open Meeting Act. Any information relating to the  
22 marketing plans, financial statements, trade secrets or any other  
23 proprietary information submitted to the review committee by a  
24 person or entity seeking adoption and approval of a proposed

1 district, plan or project shall be confidential, except to the  
2 extent that the person or entity which provided the information  
3 consents to disclosure. Executive sessions may be held to discuss  
4 such information if deemed necessary by the review committee.

5 SECTION 2. This act shall become effective November 1, 2019.

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