

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 HOUSE BILL 4005

By: Wallace

4
5
6 AS INTRODUCED

7 An Act relating to the Oklahoma Capitol Improvement
8 Authority; amending 73 O.S. 2011, Section 161, which
9 relates to the powers of the Authority; modifying
10 powers related to hiring authority; requiring certain
11 funds transfer to certain revolving fund; creating
12 the Oklahoma Capitol Improvement Authority
13 Administrative Revolving Fund, authorizing the Office
14 of the State Treasurer to make expenditures from the
15 Fund; listing Fund characteristics; authorizing
16 expenditures for certain purposes; providing certain
17 expenditure procedures; providing for codification;
18 and providing an effective date.

19
20
21
22
23
24
BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 73 O.S. 2011, Section 161, is
amended to read as follows:

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

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

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

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

5 a. to pay the annual cost of the operation, maintenance,
6 and repair of such building,

7 b. to pay as and when due the principal and interest on
8 the bonds issued to pay for such building, and

9 c. to accumulate and maintain reserves for such purposes;

10 4. To acquire, hold and dispose of real and personal property
11 in the exercise of its powers and the performance of its duties
12 under this act;

13 5. To acquire by purchase or otherwise, on such terms and
14 conditions and in such manner as it may deem proper, or by the
15 exercise of the power of condemnation in the manner hereinafter
16 provided, such public or private property and interests therein as
17 it may deem necessary for carrying out the provisions of this act.
18 The exercise of the power of condemnation shall be in accordance
19 with and subject to the provisions of any and all existing laws and
20 statutes applicable to the exercise of the power of condemnation of
21 property for public use. In any condemnation proceedings the court
22 having jurisdiction of the suit, action or proceeding may make such
23 orders as may be just to the Authority and to the owners of the
24 property to be condemned and may require an undertaking or other

1 security to secure such owners against any loss or damage by reason
2 of the failure of the Authority to accept and pay for the property,
3 but neither such undertaking or security nor any act or obligation
4 of the Authority shall impose any liability upon the state or the
5 Authority except such as may be paid from the funds provided under
6 the provisions of the act;

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

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

24

1 8. To receive and accept from any federal agency grants or
2 payments for or in aid of the construction of any project, and to
3 receive and accept aid or contributions from any source of either
4 money, property, labor or other things of value to be held, used and
5 applied only for the purposes for which such grants and
6 contributions may be made;

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

11 10. To do all things necessary or convenient to carry out the
12 powers expressly granted in this act.

13 B. The State Treasurer shall employ staff to support and
14 administer the duties of the Authority. Upon the effective date of
15 this act, monies collected for the administration of the Authority
16 shall be transferred to the Oklahoma Capitol Improvement Authority
17 Administrative Revolving Fund created in Section 2 of this act.

18 SECTION 2. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 161.1 of Title 73, unless there
20 is created a duplication in numbering, reads as follows:

21 There is hereby created in the State Treasury a revolving fund
22 for the Office of the State Treasurer to be designated the "Oklahoma
23 Capitol Improvement Authority Administrative Revolving Fund". The
24 fund shall be a continuing fund, not subject to fiscal year

1 limitations, and shall consist of monies collected from lessee
2 agencies pursuant to lease agreements with the Oklahoma Capitol
3 Improvement Authority, the transfer of accumulated funds collected
4 prior to the effective date of this act and any other monies
5 designated to the fund by law. All monies accruing to the credit of
6 said fund are hereby appropriated and may be budgeted and expended
7 by the Office of the State Treasurer for expenses related to the
8 administration and support of the Authority. Expenditures from said
9 fund shall be made upon warrants issued by the State Treasurer
10 against claims filed as prescribed by law with the Director of the
11 Office of Management and Enterprise Services for approval and
12 payment.

13 SECTION 3. This act shall become effective November 1, 2020.

14

15 57-2-9452 JM 01/07/20

16

17

18

19

20

21

22

23

24