

1 ENGROSSED HOUSE
2 BILL NO. 2897

By: Wallace, Caldwell (Trey),
and Sims of the House

3 and

4 Hall and Rosino of the
5 Senate

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7
8 An Act relating to the Legacy Capital Financing Act;
9 amending Section 2, Chapter 1, 1st Extraordinary
10 Session, O.S.L. 2023 (73 O.S. Supp. 2023, Section
11 187B), which relates to the Legacy Capital Financing
12 Fund; providing for the retention of fund interest
and income; and declaring an emergency.

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

14 SECTION 1. AMENDATORY Section 2, Chapter 1, 1st
15 Extraordinary Session, O.S.L. 2023 (73 O.S. Supp. 2023, Section
16 187B), is amended to read as follows:

17 Section 187B. A. There is hereby created in the State Treasury
18 a revolving fund for the Oklahoma Capitol Improvement Authority to
19 be designated the "Legacy Capital Financing Fund". The fund shall
20 be a continuing fund, not subject to fiscal year limitations, and
21 shall consist of all monies received by the Oklahoma Capitol
22 Improvement Authority eligible under law and directed for deposit.
23 All monies accruing to the credit of said fund are hereby
24 appropriated and may be budgeted and expended by the Oklahoma

1 Capitol Improvement Authority for capital projects specifically and
2 exclusively as authorized by law. Such budgeting and expenditure
3 shall strictly adhere to the specific terms, limitations, purposes,
4 and requirements described in such authorizations and in this act.
5 Expenditures from said fund shall be made upon warrants issued by
6 the State Treasurer against claims filed as prescribed by law with
7 the Director of the Office of Management and Enterprise Services for
8 approval and payment.

9 B. 1. The Oklahoma Capitol Improvement Authority shall be
10 authorized to enter into memoranda of understanding with agencies,
11 departments, and subdivisions of the state as provided by law and as
12 deemed necessary by the Authority to administer expenditures from
13 and deposits to the Legacy Capital Financing Fund; provided that
14 such memoranda of understanding do not conflict with or impede the
15 administration of capital projects specifically authorized by law.
16 Such memoranda of understanding shall not constitute a legal
17 obligation of the State of Oklahoma.

18 2. a. Unless specified otherwise in the applicable
19 authorizing legislation, all distributions from the
20 Legacy Capital Financing Fund shall be returned to the
21 Fund over a twenty-year period. Such distributions
22 shall be returned in the form of LCF Recapitalization
23 Payments as provided in subparagraph b of this
24 paragraph.

1 b. The annual LCF Recapitalization Payment required of
2 entities in receipt of Legacy Capital Financing Fund
3 distributions shall be equal to one-twentieth (1/20)
4 of the amount distributed to the entity. Such payment
5 shall be collected by the Oklahoma Capitol Improvement
6 Authority in equal monthly installments and deposited
7 to the Legacy Capital Financing Fund; provided, that
8 in the year of initial distribution no monthly payment
9 shall be made until the second month after such
10 distribution. Upon such second month, all monthly
11 payments for such state fiscal year up to that point
12 shall become payable.

13 c. (1) By authorizing distributions from the Legacy
14 Capital Financing Fund and making recipients of
15 such funds responsible for LCF Recapitalization
16 Payments, the Legislature voluntarily subjects
17 itself to the moral obligation that the
18 Legislature shall appropriate to recipient state
19 agencies, otherwise receiving legislative
20 appropriations, the first annual required LCF
21 Recapitalization Payment for the state fiscal
22 year for which the distribution was authorized,
23 and that such appropriated amount shall remain in
24 the agency's appropriation base for the duration

1 of the LCF Recapitalization period for such
2 project.

3 (2) The Legislature, as it deems necessary for the
4 best interests of the state, may suspend or
5 restructure for a period of time such LCF
6 Recapitalization Payments through the adoption of
7 a concurrent resolution.

8 C. Limited to the extent required for projects specifically
9 authorized through the Legacy Capital Financing Act, the Oklahoma
10 Capitol Improvement Authority shall be authorized to:

11 1. Acquire real property together with improvements located
12 thereon and personal property;

13 2. Provide for the construction of improvements to real
14 property and to provide funding for repairs, refurbishments, and
15 improvements to real and personal property;

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

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

21 D. No later than January 15 annually, the Oklahoma Capitol
22 Improvement Authority shall submit electronically to the Governor,
23 the Speaker of the Oklahoma House of Representatives, the President
24 Pro Tempore of the Oklahoma State Senate, the Appropriations and

1 Budget Chair of the Oklahoma House of Representatives, and the
2 Appropriations Chair of the Oklahoma State Senate a report detailing
3 impacts to the balance of the Legacy Capital Financing Fund
4 occurring in the prior calendar year, including, but not limited to,
5 all distributions, expenditures, collections, deposits and
6 investment returns of the Legacy Capital Financing Fund.

7 E. Notwithstanding any provision of law to the contrary, all
8 interest and income derived from deposits to the Legacy Capital
9 Financing Fund shall be credited to the Legacy Capital Financing
10 Fund.

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

15 Passed the House of Representatives the 28th day of May, 2024.

17 _____
18 Presiding Officer of the House
19 of Representatives

20 Passed the Senate the ___ day of _____, 2024.

22 _____
23 Presiding Officer of the Senate