

# An Act

ENROLLED SENATE  
BILL NO. 1070

By: Thompson and Rader of the  
Senate

and

Wallace and Hilbert of the  
House

An Act relating to the Oklahoma Department of Veterans Affairs; providing short title; amending Section 2, Chapter 100, O.S.L. 2018 (72 O.S. Supp. 2018, Section 229.1), which relates to the authorization to plan, develop and construct a long-term care facility; increasing the number of certain authorized facilities; modifying purposes; specifying applicability of certain authorization; modifying sources of property; specifying location of additional facility; providing that location and site of both facilities shall be determined by the Oklahoma Veterans Commission; amending Section 4, Chapter 100, O.S.L. 2018 (73 O.S. Supp. 2018, Section 348), which relates to the authorization to acquire property and issue obligations; increasing the number of certain authorized facilities; updating statutory references; providing for noncodification; providing an effective date; and declaring an emergency.

SUBJECT: Oklahoma Department of Veterans Affairs

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

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

This act shall be known and may be cited as the "Oklahoma Veterans Facility Renewal Act of 2019".

SECTION 2. AMENDATORY Section 2, Chapter 100, O.S.L. 2018 (72 O.S. Supp. 2018, Section 229.1), is amended to read as follows:

Section 229.1. A. The Oklahoma Department of Veterans Affairs is authorized to plan, develop and construct ~~a two~~ two long-term care ~~facility~~ facilities for the ~~purpose of assuming~~ following purposes:

1. To assume the operations of the Oklahoma Veterans Center established in Talihina pursuant to Section 229 of Title 72 of the Oklahoma Statutes. The this title; and

2. To replace the Oklahoma Veterans Center established in Ardmore pursuant to Section 221 of this title.

B. For the two long-term care facilities authorized in subsection A of this section, the Department may construct new facilities or refurbish any existing facilities on property currently owned by the State of Oklahoma or on property purchased or donated from other sources, including but not limited to private owners, tribal entities or other governmental or municipal entities.

~~B.~~ C. The location of the facilities facility referenced in paragraph 1 of subsection A of this section shall be subject only to such geographical constraints as are imposed by the United States Department of Veterans Affairs to preserve and continue recognition and certification of the facility as a State Veterans Home. The facility referenced in paragraph 2 of subsection A of this section shall be located within the corporate limits of the city of Ardmore or within five (5) miles of the corporate limits of the city of Ardmore.

~~C.~~ D. The location locations and site sites of the facility two facilities referenced in subsection A of this section shall be determined by the Oklahoma Veterans Commission. The Oklahoma Veterans Commission may consider any and all criteria which, in its sole discretion, further the interests of Oklahoma veterans.

~~D.~~ E. Operations of the Oklahoma Veterans Center established in Talihina pursuant to Section 229 of ~~Title 72 of the Oklahoma Statutes~~ this title shall continue until such time as its operations are transferred to the location identified pursuant to the authority conferred upon the Oklahoma Veterans Commission under subsection ~~A~~ D of this section.

SECTION 3. AMENDATORY Section 4, Chapter 100, O.S.L. 2018 (73 O.S. Supp. 2018, Section 348), is amended to read as follows:

Section 348. A. In addition to any other authorization provided by law, the Oklahoma Capitol Improvement Authority is authorized to issue obligations to acquire real property, together with improvements located thereon, and personal property, to plan, develop and construct buildings, parking facilities and other improvements to real property, and to provide funding for repairs, planning, staging, refurbishments and improvements to real and personal property, and for funding for construction of the two long-term care facility facilities authorized in subsection A of Section 2 of this act 229.1 of Title 72 of the Oklahoma Statutes in a total amount necessary to generate Thirty-five Million Dollars (\$35,000,000.00) in project funds with debt retirement payments to be made as provided in this section.

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 Oklahoma Department of Veterans Affairs. 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 Authority to the Oklahoma Department of Veterans Affairs.

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, planning, staging, refurbishments and improvements to real and personal property, and providing funding for the two long-term care facility facilities authorized in subsection A of Section 2 of this act 229.1 of Title 72 of the Oklahoma Statutes, 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, parking facilities and improvements and, in anticipation of the collection of such income and revenues, to issue negotiable obligations in a total amount necessary to generate Thirty-five Million Dollars (\$35,000,000.00) in project funds, whether issued in one or more series. The Authority is authorized to capitalize interest on the obligations issued pursuant to the authority granted by this section for a period not to exceed two (2) years from the date of issuance. Excluding any capitalized interest period, it is the intent of the Legislature to appropriate to the Oklahoma Department of Veterans Affairs 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 Authority shall provide for the payment of professional fees and associated costs related to the projects authorized in this act.

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 twenty-five (25) 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. The Legislature anticipates that the Oklahoma Department of Veterans Affairs will make the rental payments for the purpose of retiring the obligations created pursuant to the provisions of this section from current appropriations received by the Oklahoma Department of Veterans Affairs.

J. Insofar as they are not in conflict with the provisions of this section, the provisions of Sections 151 through 186 of ~~Title 73 of the Oklahoma Statutes~~ this title shall apply to this section.

SECTION 4. This act shall become effective July 1, 2019.

SECTION 5. It being immediately necessary for the preservation of the public peace, health or 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 Senate the 20th day of May, 2019.

\_\_\_\_\_  
Presiding Officer of the Senate

Passed the House of Representatives the 22nd day of May, 2019.

\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_