

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE BILL 471

By: Paxton

AS INTRODUCED

An Act relating to telecommunications; authorizing the Office of Management and Enterprise Services to appraise and sell certain infrastructure, property, and assets of the Oklahoma State Regents for Higher Education; directing proceeds to OneNet Privatization Revolving Fund; providing for employees to be retained by the Oklahoma State Regents for Higher Education at the discretion of the agency; providing certain exceptions to Corporation Commission requirements; creating the OneNet Privatization Revolving fund; making fund continuing and nonfiscal; stating sources of revenue; stating purpose of fund; establishing procedures of expenditures of monies accruing to the credit of the fund; directing deposit of certain monies into the fund; directing deposit of certain funds; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 139.121 of Title 17, unless there is created a duplication in numbering, reads as follows:

A. The Office of Management and Enterprise Services is hereby authorized to appraise and sell all infrastructure, property, and any other data or assets associated with the telecommunications network known as OneNet operated by the Oklahoma State Regents for

1 Higher Education or any other state entity assigned responsibility
2 for OneNet. Appraisal and sale shall take place pursuant to the
3 provisions of Section 327 of Title 61 of the Oklahoma Statutes. Any
4 surplus property resulting from a sale under this subsection shall
5 be sold pursuant to Section 62.6 of Title 74 of the Oklahoma
6 Statutes. Proceeds from any sale under this subsection shall be
7 deposited into the OneNet Privatization Revolving Fund.

8 B. Employees of OneNet may be retained by the Oklahoma State
9 Regents for Higher Education as deemed necessary by the Chancellor.
10 No employees of OneNet shall be guaranteed employment with the
11 private entity to which OneNet is sold or with the Oklahoma State
12 Regents for Higher Education.

13 C. If, after consummation of a sale under this subsection, the
14 party acquiring some or all of the infrastructure, assets, and
15 property of OneNet would be a public utility subject to regulation
16 by the Corporation Commission, then the transaction and any
17 associated agreement executed by the public utility shall:

18 1. Not be subject to the Commission's competitive procurement
19 regulations; and

20 2. Qualify for a presumption of prudence in any subsequent
21 Corporation Commission review of the public utility's rates.

22 SECTION 2. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 139.122 of Title 17, unless
24 there is created a duplication in numbering, reads as follows:

1 There is hereby created in the State Treasury a revolving fund
2 for the Oklahoma Broadband Office to be designated the "OneNet
3 Privatization Revolving Fund". The fund shall be a continuing fund,
4 not subject to fiscal year limitations, and shall consist of all
5 monies received by the Office from the sale of OneNet assets,
6 infrastructure, and property. All monies accruing to the credit of
7 the fund are hereby appropriated and may be budgeted and expended by
8 the Office for the purpose of expanding broadband infrastructure
9 across this state. Expenditures from the fund shall be made upon
10 warrants issued by the State Treasurer against claims filed as
11 prescribed by law with the Director of the Office of Management and
12 Enterprise Services for approval and payment.

13 SECTION 3. This act shall become effective November 1, 2023.

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