

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 1000

By: Bergstrom

AS INTRODUCED

An Act relating to the Grand River Dam Authority; amending 82 O.S. 2021, Section 870, as amended by Section 1, Chapter 364, O.S.L. 2022 (82 O.S. Supp. 2024, Section 870), which relates to authorization of bonds; increasing maximum bond capacity; updating statutory language; updating statutory references; making language gender neutral; and declaring an emergency.

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

SECTION 1. AMENDATORY 82 O.S. 2021, Section 870, as amended by Section 1, Chapter 364, O.S.L. 2022 (82 O.S. Supp. 2024, Section 870), is amended to read as follows:

Section 870. The district shall have power and is hereby authorized to issue from time to time, as the need therefor arises, revenue bonds for its corporate purposes in such amount or amounts not to exceed ~~One Billion Four Hundred Ten Million Dollars (\$1,410,000,000.00)~~, or in the event that the Oklahoma Department of Commerce has approved an application under the provisions of division (1) of subparagraph a of paragraph 1 of subsection E of Section 4 of the Large-scale Economic Activity and Development Act

1 ~~of 2022 not to exceed~~ Two Billion Dollars (\$2,000,000,000.00),  
2 outstanding at any time as are necessary, incidental or convenient  
3 to the exercise of the powers, rights, privileges and functions  
4 conferred upon it by ~~this act~~ Section 862 of this title, or any  
5 other act or law, and without limitations of the generality of the  
6 powers, rights and privileges heretofore granted, for acquiring a  
7 steam generating plant or plants and related facilities, and to  
8 extend, improve and reconstruct the same; and for constructing,  
9 installing and acquiring dams, reservoirs, hydroelectric power  
10 plants, or any electrical generating plant or plants or any other  
11 electrical power or generating facilities; or any plant or plants  
12 for the production of steam for heating and processing purposes; and  
13 all and any facilities of every kind necessary, incidental or  
14 convenient for the production and generation of electric power and  
15 energy; and for acquiring, constructing and installing transmission  
16 lines, substations and all facilities necessary, incidental or  
17 convenient to the sale, resale, interchange and distribution of  
18 electric power and energy; and for carrying on the business and  
19 functions of the district, as is now or hereafter may be authorized  
20 by law; and for acquiring additions and improvements to and  
21 extensions of facilities, at any time existing, of the district; and  
22 for the acquisition of lands and rights-of-way for such use as is  
23 now, or may be, authorized by law for the construction, replacement  
24 and repair of any dams, plants or other facilities of the district;

1 and to enable it to finance, in cooperation with any "public agency"  
2 public agency, as defined under the Interlocal Cooperation Act,  
3 Sections 1001 through 1008 of Title 74 of the Oklahoma Statutes, any  
4 other agency of government, rural electric ~~co-op~~ cooperative  
5 corporation, or any private or public corporation, the development  
6 and utilization of electrical energy or the water resources and  
7 rights in waters vested in ~~said~~ the district for such purposes as  
8 are, or may be, authorized by the laws of Oklahoma, and for  
9 financing and refinancing present outstanding obligations of the  
10 district, including the payment of any claims, charges or interest  
11 on bonds required to be paid. The bonds herein authorized may  
12 either be (1) sold for cash, at public or private sale, at such  
13 price or prices as the Board shall determine with the advice and  
14 assistance of the State Bond Advisor, or (2) may be issued on such  
15 terms as the Board shall determine in exchange for property of any  
16 kind, real, personal or mixed, or any interest therein which the  
17 Board shall deem necessary, incidental or convenient for any such  
18 corporate purposes, or (3) may be issued in exchange for like  
19 principal amounts of other obligations of the district, matured or  
20 unmatured, or (4) may be issued in such principal amounts that when  
21 the proceeds thereof are invested in legal and qualified  
22 investments, the proceeds together with the resulting proceeds of  
23 such investments will be sufficient to retire the outstanding  
24 indebtedness or any portion thereof at maturity or at prior

1 redemption or upon purchase or tender for purchase. The proceeds of  
2 sale of such bonds shall be deposited in such bank or banks or trust  
3 company or trust companies, and shall be paid out pursuant to such  
4 terms and conditions as may be agreed upon between the district and  
5 the purchasers of such bonds. All such bonds shall be authorized by  
6 resolutions of the Board concurred in by at least four of the  
7 members thereof, and shall bear such date or dates, mature at such  
8 time or times, bear interest at such rate or rates, at such time or  
9 times, be in such denominations, be in such form, either coupon or  
10 registered, carry such registration privileges as to principal only  
11 or as to both principal and interest, and as to exchange of coupon  
12 bonds for registered bonds or vice versa, and exchange of bonds of  
13 one denomination for bonds of other denominations, be executed in  
14 such manner and be payable at such place or places within or without  
15 ~~the State of Oklahoma~~ this state as such resolution or resolutions  
16 may provide. Any resolution or resolutions, including any related  
17 trust indenture or indentures, authorizing any bonds may contain  
18 provisions which shall be part of the contract between the district  
19 and the holders thereof from time to time (a) reserving the right to  
20 redeem such bonds at such time or times, in such amounts and at such  
21 prices as may be provided, (b) providing for the setting aside of  
22 sinking funds or reserve funds and the regulation and disposition  
23 thereof, (c) pledging to secure the payment of the principal of and  
24 interest on such bonds and of the sinking fund or reserve fund

1 payments agreed to be made in respect of such bonds all or any part  
2 of the gross or net revenues thereafter received by the district in  
3 respect of the property, real, personal or mixed, to be acquired or  
4 constructed with such bonds or the proceeds thereof, or all or any  
5 part of the gross or net revenues thereafter received by the  
6 district from whatever source derived and monies and securities held  
7 under such resolutions or indentures or contract rights with respect  
8 to any of the foregoing, (d) prescribing the purposes to which such  
9 bonds or any bonds thereafter to be issued, or the proceeds thereof,  
10 may be applied, (e) agreeing to fix and collect rates and charges  
11 sufficient to produce revenues adequate to pay the items specified  
12 in subparagraphs (a), (b), (c), (d) and (e) of Section 868 of this  
13 title and prescribing the use and disposition of all revenues, and  
14 the investment of such revenues and other monies pending their  
15 expenditures in investments authorized or permitted by law, (f)  
16 prescribing limitations upon the issuance of additional bonds and  
17 upon the agreements which may be made with the purchasers and  
18 successive holders thereof, (g) with regard to the construction,  
19 extension, improvement, reconstruction, operation, maintenance and  
20 repair of the properties of the district, carrying of insurance upon  
21 all or any part of ~~said~~ the properties covering loss or damage or  
22 loss of use and occupancy resulting from specified risk, (h) fixing  
23 the procedure, if any, by which, if the district shall so desire,  
24 the terms of any contract with the holders of such bonds may be

1 amended or abrogated, the amount of bonds the holders of which must  
2 consent thereto, and the manner in which such consent may be given,  
3 (i) for the execution and delivery by the district to a bank or  
4 trust company authorized by law to accept trusts, or to the United  
5 States of America or any office or agency thereof, of indentures and  
6 agreements for the benefit of the holders of such bonds setting  
7 forth any or all of the agreements herein authorized to be made with  
8 or from the benefit of the holders of such bonds and such other  
9 provisions as may be customary in such indentures or agreements, and  
10 (j) such other provisions, not inconsistent with the provisions of  
11 ~~the act~~ Section 861 et seq. of this title, as the Board may approve.

12 Any such resolution and any indenture or agreement entered into  
13 pursuant thereto may provide that in the event that (a) default  
14 shall be made in the payment of the interest on any or all bonds  
15 when and as the same shall become due and payable, or (b) default  
16 shall be made in the payment of the principal of any or all bonds  
17 when and as the same shall become due and payable, whether at the  
18 maturity thereof, by call for redemption or otherwise, or (c)  
19 default shall be made in the performance for any agreement made with  
20 the purchasers or successive holders of any bonds, and such default  
21 shall have continued such period, if any, as may be prescribed by  
22 ~~said~~ the resolution in respect thereof, the trustee under the  
23 indenture or indentures entered into in respect of the bonds  
24 authorized thereby, or if there shall be no such indenture, a

1 trustee appointed in the manner provided in such resolution or  
2 resolutions by the holders of twenty-five percent (25%) in aggregate  
3 principal amount of the bonds authorized thereby and at the time  
4 outstanding may, and, upon the written request of the holders of  
5 twenty-five percent (25%) in aggregate principal amount of the bonds  
6 authorized by such resolution or resolutions at the time  
7 outstanding, shall, in his, her, or its own name, but for the equal  
8 and proportionate benefit of the holders of all of such bonds, and  
9 with or without possession thereof,

10 (1) By mandamus or other suit, action or proceeding at law or  
11 in equity, enforce all rights of the holders of such bonds,

12 (2) Bring suit upon such bonds and/or the appurtenant coupons,

13 (3) By action or suit in equity, require the district to  
14 account as if it were the trustee of an express trust for the  
15 bondholders,

16 (4) By action or suit in equity, enjoin any acts or things  
17 which may be unlawful or in violation of the rights of the holders  
18 of such bonds, and/or

19 (5) After such notice to the district as such resolution may  
20 provide, declare the principal of all of such bonds due and payable,  
21 and if all defaults shall have been made good, then with the written  
22 consent of the holder or holders of twenty-five percent (25%) in  
23 aggregate principal amount of such bonds at the time outstanding  
24 annul such declaration and its consequence; provided, however, that

1 the holders of more than a majority in principal amount of the bonds  
2 authorized thereby and at the time outstanding by instrument or  
3 instruments in writing delivered to such trustee have the right to  
4 direct and control any and all action taken or to be taken by such  
5 trustee under this paragraph. Any such resolution, indenture or  
6 agreement may provide that in any such suit, action or proceeding,  
7 any such trustee, whether or not all of such bonds shall have been  
8 declared due and payable, and with or without possession of any  
9 thereof, shall be entitled as of right to the appointment of a  
10 receiver who may enter and take possession of all or any part of the  
11 properties of the district and operate and maintain the same, and  
12 fix, collect and receive rates and charges sufficient to provide  
13 revenues adequate to pay the items set forth in subparagraphs (a),  
14 (b), (c), (d) and (e) of Section 868 of this title and the costs and  
15 disbursements of such suit, action or proceeding, and to apply such  
16 revenues in conformity with the provisions of Section 861 et seq. of  
17 this title and the resolution or resolutions authorizing such bonds.  
18 In any suit, action or proceeding by any such trustee, the  
19 reasonable fees, counsel fees and expense of such trustee and of the  
20 receiver or receivers, if any, shall constitute taxable  
21 disbursements and all costs and disbursements, and all costs and  
22 disbursements allowed by the court shall be a first charge upon any  
23 revenues pledged to secure the payment of such bonds. Subject to  
24 the provisions of the Oklahoma Constitution ~~of the State of~~



1 ~~Oklahoma~~, the courts of the County of Craig, or other county wherein  
2 the domicile may be situated, shall have jurisdiction of any such  
3 suit, action or proceeding by any such trustee on behalf of the  
4 bondholders and of all property involved therein. In addition to  
5 the powers hereinabove specifically provided for, each such trustee  
6 shall have and possess all powers necessary or appropriate for the  
7 exercise of any thereof, or incident to the general representation  
8 of the bondholders in the enforcement of their right.

9 Before any bonds shall be sold by the district, a certified copy  
10 of the proceedings for the issuance thereof, including the form of  
11 such bonds, together with any other information which the Attorney  
12 General of ~~the State of Oklahoma~~ this state may require, shall be  
13 submitted to the Attorney General and if he or she shall find that  
14 such bonds have been issued in accordance with law he or she shall  
15 approve such bonds and execute a certificate to that effect which  
16 shall be filed in the Office of the State Auditor and Inspector of  
17 ~~the State of Oklahoma~~ this state and be recorded in a record kept  
18 for that purpose. No bonds shall be issued until the same shall  
19 have been registered by the State Auditor and Inspector, who shall  
20 so register the same if the Attorney General shall have filed with  
21 the State Auditor and Inspector his or her certificate approving the  
22 bonds and the proceedings for the issuance thereof as hereinabove  
23 provided. All bonds approved by the Attorney General as aforesaid,  
24 and registered by the State Auditor and Inspector as aforesaid, and

1 issued in accordance with the proceedings so approved shall be valid  
2 and binding obligations of the district and shall be incontestable  
3 for any cause from and after the time of such registration.

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

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