

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                   STATE OF OKLAHOMA

3                   1st Session of the 60th Legislature (2025)

4                   ENGROSSED SENATE

5                   BILL NO. 1169

By: Hall and Haste of the  
Senate

6                   and

7                   Caldwell (Trey) and Kane of  
the House

10                  An Act relating to state property; amending 62 O.S.  
11                 2021, Section 901, which relates to the Long-Range  
12                 Capital Planning Commission; prescribing duties of  
13                 the Commission; amending Sections 3 and 2, Chapter  
14                 441, O.S.L. 2024 (73 O.S. Supp. 2024, Sections 188A  
15                 and 188B), which relate to the Oklahoma Capital  
16                 Assets Maintenance and Protection Act; dissolving the  
17                 Oklahoma Capital Assets Management and Protection  
18                 Board; requiring the Long-Range Capital Planning  
19                 Commission to develop and update certain plans;  
20                 modifying allocation requirements of funds deposited  
21                 in the Oklahoma Capital Assets Maintenance and  
22                 Protection Fund; eliminating fiscal year allocation  
23                 limitation; updating statutory language; updating  
24                 statutory references; providing an effective date;  
and declaring an emergency.

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

SECTION 1.       AMENDATORY       62 O.S. 2021, Section 901, is  
amended to read as follows:

Section 901. A. There is hereby created a Long-Range Capital  
Planning Commission to advise and assist the Legislature in

1 providing for real property capital facility needs for this state.

2 The Commission shall consist of nine (9) members as follows:

3       1. Three members appointed by the President Pro Tempore of the  
4 Senate;

5       2. Three members appointed by the Speaker of the House of  
6 Representatives; and

7       3. Three members ~~shall be~~ appointed by the Governor.

8       All appointees shall be from the public at large. Within thirty  
9 (30) days of ~~the effective date of this act~~ July 1, 2013, the

10 appointing authorities shall appoint new members to the Commission;  
11 provided, a member serving on ~~the effective date of this act~~ July 1,

12 2013, may be reappointed if he or she is otherwise qualified. Of

13 the members initially appointed by each appointing authority after

14 ~~the effective date of this act~~ July 1, 2013, one shall be appointed

15 for a one-year term, one shall be appointed for a two-year term and

16 one shall be appointed for a three-year term. Thereafter, their

17 successors shall be appointed for four-year terms. Any vacancy

18 shall be filled for the remainder of the unexpired term in the same

19 manner as the original appointment. The appointing authorities

20 shall appoint members who possess knowledge, skills and abilities to

21 perform the duties of the Commission. No member of the Commission

22 shall be interested, directly or indirectly, in any contract entered

23 into for a project approved by the Commission during the period of

24 service of the member, nor shall any person be appointed as a member

1 of the Commission if such person is interested, directly or  
2 indirectly, in a contract entered into for a project approved prior  
3 to the appointment. An indirect interest shall include, but not be  
4 limited to, an interest of an immediate family member of the member  
5 of the Commission or a business with which the member of the  
6 Commission is associated.

7       B. A chair of the Commission shall be elected from its  
8 membership. Five members of the Commission shall constitute a  
9 quorum. Members of the Commission shall serve without compensation,  
10 but shall be entitled to reimbursement, pursuant to the State Travel  
11 Reimbursement Act, for expenses incurred in the performance of their  
12 duties.

13       C. Initial appointments to the Commission shall be made within  
14 thirty (30) days of ~~the effective date of this act~~ May 28, 1992.

15       D. The Commission shall have the authority to promulgate rules  
16 and regulations necessary to implement the provisions of ~~this act~~  
17 the State Capital Improvement Planning Act.

18       E. The Office of Management and Enterprise Services, with the  
19 advice and assistance of the ~~Oklahoma State Bond Advisor Deputy~~  
20 Treasurer for Debt Management, shall provide staffing for the  
21 Commission and other such assistance as the Commission may require.

22       F. 1. The Commission shall prepare each year an annual capital  
23 plan budget and a state capital plan for addressing state capital  
24 facility needs for the next ensuing eight (8) years. The Oklahoma

1 State Regents for Higher Education and each state governmental  
2 entity as defined in Section 695.3 of this title shall cooperate  
3 with the Commission in the preparation of the state plan. Each  
4 year, on or about December 1, the plan shall be submitted to the  
5 Governor, Speaker of the House of Representatives and President Pro  
6 Tempore of the Senate. The Long-Range Capital Planning Commission  
7 shall annually update the eight-year plan. The Office of Management  
8 and Enterprise Services shall perform routine services to support  
9 the eight-year plan, including, but not limited to, agency-level  
10 planning, real estate services, construction services and facility  
11 operations as provided by law.

12       2. In addition to the requirements set forth in Section 40  
13 901.1 of this ~~act~~ title, the capital plan should:

- 14           a. supplement and integrate, not replace, existing  
15                   capital planning processes,
- 16           b. assess long-term needs for capital facilities to  
17                   support state government needs as determined by the  
18                   Commission,
- 19           c. review and assess the inventory of capital facilities  
20                   held by the state, and make recommendations on  
21                   reallocation, reuse or liquidation of properties for  
22                   incorporation into the annual capital plan,

- 1           d. include a projection of economic and demographic  
2           trends likely to influence the needs of state  
3           government during the eight-year period,
- 4           e. address agency strategic facility plans for new,  
5           improved, renovated, or expanded capital facilities or  
6           facilities that should be reallocated or liquidated,
- 7           f. include estimates of life cycle costs for new and  
8           substantially expanded or renovated facilities,
- 9           g. evaluate the effectiveness of planning processes at  
10          the agency level to account for all capital facility  
11          costs for incorporation into the annual capital  
12          budget,
- 13          h. account for projections of debt service and revenues  
14          available from general obligation bonds and other  
15          sources, including, but not limited to, the  
16          Maintenance of State Buildings Revolving Fund,
- 17          i. analyze the capacity of the state to incur debt or  
18          finance public capital facilities,
- 19          j. include a comprehensive listing of all capital  
20          expenditures of the state which the Commission  
21          recommends be undertaken or continued for any state  
22          agency in the next two (2) fiscal years, together with  
23          information as to the effect of such capital projects  
24          on future operating expenses of the state, and with

- recommendations as to the priority of such capital projects and the means of funding them,
- k. forecast the requirements for capital projects of state agencies for the ~~eight-year period~~ eight-year period and for such additional periods, if any, as may be necessary or desirable for adequate presentation of particular capital projects, and include a schedule for the planning and implementation or construction of such capital projects,
- l. set forth a proposed itemized budget for the next fiscal year of recommended capital expenditures inclusive of all funding sources, for each agency, including facility rent and lease payments, energy and utility expenditures, operations and maintenance, capital improvements and capital development projects as necessary to optimize and preserve the state's capital assets,
- m. include the findings of the Oklahoma State Government Asset Reduction and Cost Savings Program and the indexing of the most necessary capital improvements to the expenditure of funds from the Maintenance of State Buildings Revolving Fund,
- n. include such other information as the Commission deems relevant to its duties, and

1           o. include findings of the Oklahoma State Government  
2                          Asset Reduction and Cost Savings Program and the  
3                          indexing of the most necessary capital improvements to  
4                          the expenditure of funds from the Maintenance of State  
5                          Buildings Revolving Fund.

6           G. The capital plan budget shall include, for each expenditure  
7           and class of expenditures, the capital facility costs to be incurred  
8           during the next ensuing fiscal year, inclusive of the annual  
9           operating and maintenance costs of such facilities and a schedule of  
10           depreciation calculated in accordance with the principles and  
11           standards of capital budgeting authorized by subsection H of this  
12           section.

13           H. The Commission, with the assistance of the Office of  
14           Management and Enterprise Services, shall prepare and publish rules  
15           and regulations that set forth principles and standards for capital  
16           planning and budgeting to be used by state agencies. The rules and  
17           regulations shall set forth definitions of relevant terms to be used  
18           in the capital planning and budgeting processes, establish  
19           accounting standards and standards for costs and benefits of public  
20           facility investments.

21           I. 1. The Commission, the Office of Management and Enterprise  
22           Services, and the ~~Oklahoma State Bond Advisor~~ Deputy Treasurer for  
23           Debt Management may request the assistance of such personnel of any  
24           state agency in order to perform their duties pursuant to the State

1 Capital Improvement Planning Act and such agencies shall respond and  
2 provide any such assistance as may be required. The Commission may  
3 use existing studies, surveys, plans, data and other materials in  
4 the possession of any state agency. Each such agency shall make the  
5 same available to the Commission so that the Commission may have  
6 available to it current information with respect to the capital  
7 plans and programs of each such agency.

8       2. The officers and personnel of any state agency may serve at  
9 the request of the Commission upon such advisory committees as the  
10 Commission may create and such officers and personnel may serve upon  
11 such committees without forfeiture of office or employment and with  
12 no loss or diminution of the compensation, status, rights and  
13 privileges which they otherwise enjoy.

14       J. This section shall not be applicable to the following or  
15 their lands, properties, buildings, funds or revenue:

- 16       1. The Oklahoma Ordnance Works Authority; and  
17       2. The Commissioners of the Land Office.

18       K. The Commission shall develop plans, adopt authorizations,  
19       and fulfill the duties required pursuant to Section 188A of Title 73  
20       of the Oklahoma Statutes.

21           SECTION 2.       AMENDATORY           Section 3, Chapter 441, O.S.L.  
22       2024 (73 O.S. Supp. 2024, Section 188A), is amended to read as  
23 follows:

1       Section 188A. A. ~~There is hereby created the Oklahoma Capital~~  
2 ~~Assets Management and Protection Board (OCAMP Board).~~ The Board  
3 Long-Range Capital Planning Commission shall develop plans and adopt  
4 authorizations directing the Oklahoma Capitol Improvement Authority  
5 on the utilization of Oklahoma Capital Assets Maintenance and  
6 Protection Fund monies.

7       B. ~~The Board shall consist of members to be appointed as~~  
8 follows:

9       1. ~~Three members appointed by the Governor, at least one of~~  
10 ~~whom shall have no less than ten (10) years of experience in the~~  
11 ~~construction industry;~~

12       2. ~~The Chancellor of Higher Education or a designee; and~~  
13       3. ~~The Executive Director of the Oklahoma Tourism and~~  
14 ~~Recreation Department or a designee.~~

15       C. ~~The chair and vice chair of the Board shall be elected by~~  
16 ~~the Board members at the first meeting of the Board and shall~~  
17 ~~preside over meetings of the Board and perform other duties as may~~  
18 ~~be required by the Board. The Board shall elect a chair and vice~~  
19 ~~chair no less than once a calendar year.~~

20       D. 1. The ~~Board~~ Commission shall develop and adopt the  
21 following five-year plans to provide for allocations and  
22 expenditures of the Oklahoma Capital Assets Maintenance and  
23 Protection Fund as follows:

- 1           a. the OCAMP Higher Education Five-year Plan, for the  
2           maintaining and repairing of state-owned properties  
3           and buildings of public institutions of higher  
4           learning,  
5           b. the OCAMP Tourism and Recreation Five-year Plan, for  
6           the maintaining and repairing of properties and  
7           buildings of state parks operated by the Oklahoma  
8           Tourism and Recreation Department, and  
9           c. the OCAMP State Five-year Plan, for the maintaining  
10          and repairing of all state-owned properties and  
11          buildings.

12         2. For fiscal years 2026 through 2028 year 2026, the Board

13         Commission shall allocate Oklahoma Capital Assets Maintenance and  
14         Protection Fund monies to such five-year plans in the following  
15         proportions:

- 16           a. the OCAMP Higher Education Five-year Plan shall be  
17           allocated forty-five percent (45%) of such monies.  
18           Twenty percent (20%) of those monies allocated shall  
19           be for comprehensive institutions of higher education  
20           within The Oklahoma State System of Higher Education,  
21           fifty percent (50%) for all four-year colleges and  
22           universities except the University of Oklahoma located  
23           in Norman, Oklahoma, and Oklahoma State University  
24           located in Stillwater, Oklahoma, and thirty percent

(30%) for two year institutions of higher education  
within The Oklahoma State System of Higher Education.  
for the following:

- (1) twenty percent (20%) of those monies allocated shall be for four-year colleges and universities receiving a Research Colleges and Universities designation from the Carnegie Classification of Institutions of Higher Education to be further allocated as follows:

- (a) fifty percent (50%) for those colleges and universities defined as a historically black college or university pursuant to the federal Higher Education Act of 1965, as amended, and

(b) fifty percent (50%) of those monies allocated shall be for other colleges and universities,

- (2) thirty-five percent (35%) of those monies allocated shall be for two-year institutions of higher education within The Oklahoma State System of Higher Education, and

(3) forty-five percent (45%) of those monies allocated shall be for all 4-year colleges and universities except the University of Oklahoma

located in Norman, Oklahoma, and Oklahoma State  
University located in Stillwater, Oklahoma,

- b. the OCAMP Tourism and Recreation Five-year Plan shall be allocated ten percent (10%) of such monies, and
- c. the OCAMP State Five-year Plan shall be allocated forty-five percent (45%) of such monies.

E. C. The Board Commission shall update each five-year plan no less often than biennially. Upon the adoption of such plans and upon each update to such plans, a report detailing such plans shall be submitted by electronic means to the Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives.

F. D. The Office of Management and Enterprise Services, with the advice and assistance of the Oklahoma Capitol Improvement Authority, shall provide staffing for the ~~Board~~ Commission and other such assistance as the ~~Board~~ Commission may require.

E. The Board Commission may direct the Oklahoma Capitol Improvement Authority to allocate, budget, and expend, either directly or under the terms of memoranda of understanding lawfully entered into with other state entities, monies from the Oklahoma Capital Assets Maintenance and Protection Fund on any project or item that has been included in an applicable five-year plan authorized under the provisions of ~~this act~~ the Oklahoma Capital Assets Maintenance and Protection Act for no less than one (1) year.

1 SECTION 3. AMENDATORY Section 2, Chapter 441, O.S.L.

2 2024 (73 O.S. Supp. 2024, Section 188B), is amended to read as  
3 follows:

4       Section 188B. A. There is hereby created in the State Treasury  
5 a revolving fund for the Oklahoma Capitol Improvement Authority to  
6 be designated the "Oklahoma Capital Assets Maintenance and  
7 Protection Fund" (OCAMP Fund). The fund shall be a continuing fund,  
8 not subject to fiscal year limitations, and shall consist of all  
9 monies received by the Oklahoma Capitol Improvement Authority  
10 eligible under law and directed for deposit to the fund. All monies  
11 accruing to the credit of the fund are hereby appropriated and,  
12 except for the transfer required pursuant to Enrolled Senate Bill  
13 No. 1125 of the 2nd Session of the 59th Oklahoma Legislature, may be  
14 allocated, budgeted, and expended by the Oklahoma Capitol  
15 Improvement Authority as directed by the ~~Oklahoma Capital Assets~~  
16 ~~Management and Protection Board created in Section 3 of this act~~  
17 Long-Range Capital Planning Commission. Such allocations,  
18 budgeting, and expenditures shall strictly adhere to the specific  
19 terms, limitations, purposes, and requirements described in the  
20 directive adopted by the ~~Oklahoma Capital Assets Management and~~  
21 ~~Protection Board Commission~~. Expenditures from the fund shall be  
22 made upon warrants issued by the State Treasurer against claims  
23 filed as prescribed by law with the Director of the Office of  
24 Management and Enterprise Services for approval and payment.

1       B. The Oklahoma Capitol Improvement Authority shall be  
2 authorized to enter into memoranda of understanding with agencies,  
3 departments, and subdivisions of the state as provided by law and as  
4 deemed necessary by the Authority to administer expenditures from  
5 and allocations and deposits to and from the Oklahoma Capital Assets  
6 Maintenance and Protection Fund, provided that such memoranda of  
7 understanding do not conflict with or impede the administration of  
8 capital projects specifically authorized by law or directed by the  
9 ~~Oklahoma Capital Assets Management and Protection Board Commission.~~  
10 Such memoranda of understanding shall not constitute a legal  
11 obligation of ~~the State of Oklahoma~~ this state.

12       C. Limited to the extent required for projects specifically  
13 authorized under the provisions of ~~this act~~ the Oklahoma Capital  
14 Assets Maintenance and Protection Act, the Oklahoma Capitol  
15 Improvement Authority shall be authorized to:

16           1. Acquire real property together with improvements located  
17 thereon and personal property;

18           2. Provide for the construction of improvements to real  
19 property and to provide funding for repairs, refurbishments,  
20 deferred maintenance, and improvements to real and personal  
21 property;

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

1       4. Lease, transfer, and otherwise legally dispose of property  
2 and improvements as necessary to comply with legal directives and  
3 authorizations.

4       D. No later than January 15 annually, the Oklahoma Capitol  
5 Improvement Authority shall submit electronically to the Governor,  
6 the President Pro Tempore of the Senate, the Speaker of the House of  
7 Representatives, the Chair of the Appropriations Committee of the  
8 Senate, and the Chair of the Appropriations and Budget Committee of  
9 the House of Representatives a report detailing impacts to the  
10 balance of the Oklahoma Capital Assets Maintenance and Protection  
11 Fund occurring in the prior calendar year, including, but not  
12 limited to, all distributions, expenditures, collections, and  
13 deposits of the Oklahoma Capital Assets Maintenance and Protection  
14 Fund.

15       E. ~~No allocations shall be made by the Oklahoma Capital Assets~~  
16 ~~Management and Protection Board from the Oklahoma Capital Assets~~  
17 ~~Maintenance and Protection Fund in fiscal year 2025. Allocations~~  
18 ~~made by the Board from the Fund shall not exceed Seventy-five~~  
19 ~~Million Dollars (\$75,000,000.00) in each fiscal year for fiscal~~  
20 ~~years 2026 through 2028.~~

21       SECTION 4. This act shall become effective July 1, 2025.

22       SECTION 5. It being immediately necessary for the preservation  
23 of the public peace, health or safety, an emergency is hereby  
24

1 declared to exist, by reason whereof this act shall take effect and  
2 be in full force from and after its passage and approval.

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4 COMMITTEE REPORT BY: COMMITTEE ON JOINT COMMITTEE ON APPROPRIATIONS  
AND BUDGET, dated 05/19/2025 - DO PASS, As Amended.

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