

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

HOUSE BILL 3764

By: Cantrell

AS INTRODUCED

An Act relating to public finance; amending 62 O.S. 2021, Section 348.1, as amended by Section 1, Chapter 78, O.S.L. 2023 (62 O.S. Supp. 2023, Section 348.1), which relates to authorized investments; modifying entities that may make investments; and providing an effective date.

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

SECTION 1. AMENDATORY 62 O.S. 2021, Section 348.1, as amended by Section 1, Chapter 78, O.S.L. 2023 (62 O.S. Supp. 2023, Section 348.1), is amended to read as follows:

Section 348.1 A. Except as otherwise provided for by law, a county treasurer, when authorized by the board of county commissioners by a written investment policy, ordinance or resolution or the treasurer of any city or town, when authorized by the appropriate governing body by a written investment policy, ordinance or resolution, or the financial officer of any political subdivision of a county, when authorized by the appropriate governing body by a written investment policy, ordinance or

1 resolution, or the board of trustees of a public trust with any  
2 county or municipality or any and all combinations thereof as  
3 beneficiary thereof, when authorized by the board of trustees of  
4 said public trust by a written investment policy or resolution, or  
5 the financial officer of a school district, when authorized by the  
6 appropriate governing body by a written investment policy or  
7 resolution, or the board of directors of any circuit engineering  
8 district, when authorized by a written investment policy or  
9 resolution, shall invest monies in the custody of the treasurer or  
10 financial officer or the board of trustees in:

11 1. Direct obligations of the United States Government, its  
12 agencies or instrumentalities to the payment of which the full faith  
13 and credit of the Government of the United States is pledged, or  
14 investment grade obligations of this state; provided, that any such  
15 security shall be rated A+ or better by Standard and Poor's  
16 Corporation or A1 or better by Moody's Investor Service or an  
17 equivalent investment grade by a securities ratings organization  
18 accepted by the National Association of Insurance Commissioners  
19 including investment grade obligations of state agencies;

20 2. Collateralized or insured certificates of deposits of  
21 savings and loan associations, banks, savings banks and credit  
22 unions located in this state when the certificates of deposit are  
23 secured by acceptable collateral as provided by law, or fully  
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1 insured certificates of deposit at banks, savings banks, savings and  
2 loan associations and credit unions located out of state;

3 3. Savings accounts or savings certificates of savings and loan  
4 associations, banks, and credit unions to the extent that the  
5 accounts or certificates are fully insured by the Federal Deposit  
6 Insurance Corporation;

7 4. Investments as authorized by Section 348.3 of this title  
8 which are fully collateralized in investments specified in  
9 paragraphs 1 through 3 of this subsection, and where the collateral  
10 has been deposited with a trustee or custodian bank in an  
11 irrevocable trust or escrow account established for such purposes;

12 5. County, municipal or school district direct debt obligation  
13 for which an ad valorem tax may be levied or bond and revenue  
14 anticipation notes, money judgments against such county,  
15 municipality or school district ordered by a court of record or  
16 bonds or bond and revenue anticipation notes issued by a public  
17 trust for which such county, municipality or school district is a  
18 beneficiary thereof. All collateral pledged to secure public funds  
19 shall be valued at no more than market value. The income received  
20 from that investment may be placed in the general fund of the  
21 governmental subdivision to be used for general governmental  
22 operations, the sinking fund, the building fund, or the fund from  
23 which the investment was made; or

1           6. Qualified pooled investment programs, the investments of  
2 which consist of those items specified in paragraphs 1 through 5 of  
3 this section. To be qualified, a pooled investment program for  
4 county funds or for city or town funds or for the funds of a  
5 political subdivision of a county or public trust funds for any  
6 public trust with any county or municipality or any and all  
7 combinations thereof as beneficiary thereof or school district funds  
8 or circuit engineering district funds or a combination thereof must  
9 be governed through an interlocal cooperative agreement formed  
10 pursuant to Sections 1001 through 1008 of Title 74 of the Oklahoma  
11 Statutes. Prior to participating in a qualified pooled investment  
12 program, the governing body of such county, city or town, political  
13 subdivision of a county, public trust with any county or  
14 municipality or any and all combinations thereof as beneficiary  
15 thereof, school district, or circuit engineering district must  
16 authorize participation through its written investment policy.

17           B. The provisions of this section shall not apply to  
18 investments made by organizations of municipalities created for the  
19 purpose of securing benefits and services relating to insurance for  
20 Oklahoma municipalities or other political subdivisions.

21           SECTION 2. This act shall become effective November 1, 2024.

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