

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

HOUSE BILL 4070

By: Wallace

AS INTRODUCED

An Act relating to county economic development; creating the County Economic Development Act of 2024; authorizing certain reference; authorizing the creation of County Economic Development Organization; providing process and parameters of formation; establishing limited purposes; providing for appointment and organization of Organization members; establishing eligibility criteria; prohibiting compensation; authorizing certain reimbursement; authorizing certain actions; providing and limiting certain powers; authorizing certain delegation of powers and duties; authorizing certain contracting; authorizing certain county-option sales tax levy; limiting levy; requiring submission to voters at special election; requiring certain fund creation and accounting; 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 899.1 of Title 62, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "County Economic Development Act of 2024".

1 SECTION 2. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 899.2 of Title 62, unless there
3 is created a duplication in numbering, reads as follows:

4 A. The board of county commissioners of a county are
5 authorized, by adoption of a resolution by a majority of the members
6 of the board, to form a County Economic Development Organization for
7 the purpose of implementing or enhancing economic development
8 programs and initiatives, including but not limited to efforts to
9 encourage economic development that generates new jobs and increases
10 capital investment in the county.

11 B. Each Organization created pursuant to this section shall be,
12 and is hereby declared to be a public body, corporate and politic,
13 with the powers and duties specified in this act.

14 SECTION 3. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 899.3 of Title 62, unless there
16 is created a duplication in numbering, reads as follows:

17 A. Each county commissioner of a county with a County Economic
18 Development Organization shall appoint from their respective county
19 two (2) persons to serve as members of the County Economic
20 Development Organization.

21 B. Each Organization member shall have been a qualified elector
22 in the county from which the member is appointed for a period of not
23 less than three (3) years from the date of appointment.

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1 C. Each Organization member shall serve at the pleasure of
2 their appointing county commissioner.

3 D. The members of the Organization shall elect a chair, a vice-
4 chair, and a treasurer from among its membership. A majority of the
5 Organization shall constitute a quorum, the affirmative vote of
6 which shall be necessary for any action taken by the Organization.

7 E. A member of the Organization shall receive no compensation
8 for services to the Organization, but may be reimbursed by the
9 political subdivision responsible for such appointment for expenses
10 incurred for attending meetings of the Organization.

11 F. No person shall be eligible for appointment as a member of
12 an Authority who has been convicted of a felony.

13 SECTION 4. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 899.4 of Title 62, unless there
15 is created a duplication in numbering, reads as follows:

16 A. County Economic Development Organization created under the
17 provisions of this act shall be authorized and empowered:

18 1. To adopt bylaws for the regulation of its affairs and
19 conduct of its business;

20 2. To maintain an office as needed;

21 3. To sue and be sued, in contract, reverse condemnation,
22 equity, mandamus, and similar actions in its own name, plead and be
23 impleaded; provided however, that any and all actions at law or in
24 equity against the Organization shall be brought in the county in
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1 which the principal office of the Organization shall be located or
2 the county wherein the cause of action arose;

3 4. To acquire, hold, and dispose of real and personal property
4 in the exercise of its powers and the performance of its duties
5 under this act;

6 5. To make and enter into all contracts and agreements
7 necessary or incidental to the performance of its duties and the
8 execution of its powers under this act;

9 6. To adopt such rules and regulations and do all things
10 necessary or convenient to carry out the powers and duties expressly
11 granted in this section;

12 7. To budget and expend funds made available to the
13 Organization in accordance with the provisions of County Economic
14 Development Act of 2024.

15 B. The authorizations and powers provided in subsection A of
16 this section may be performed directly by a County Economic
17 Development Organization or delegated to a third-party entity under
18 the provisions of a contract entered into between the County
19 Economic Development Organization and such third-party entity.

20 SECTION 5. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 1370.10 of Title 68, unless
22 there is created a duplication in numbering, reads as follows:

23 A. Notwithstanding the provisions of Section 1370 of this title
24 and in accordance with the provisions of County Economic Development
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1 Act of 2024, any county of this state may levy a sales tax not to
2 exceed one percent (1%) upon the gross proceeds or gross receipts
3 derived from all sales or services in the county upon which a
4 consumer's sales tax is levied by the state, except as provided in
5 paragraph 8 of Section 1357 of this title, subject to the following
6 conditions:

7 1. The proceeds of such sales tax shall be used solely for the
8 purposes provided in the County Economic Development Act of 2024;

9 2. Before a sales tax may be levied by the county, the
10 imposition of the tax shall first be approved by a majority of the
11 registered voters of the county voting thereon at a special election
12 called by resolution of the board of county commissioners.

13 B. The board of county commissioners shall create a limited-
14 purpose fund and deposit therein any revenue generated by any sales
15 tax levied pursuant to the provisions of subsection A of this
16 section. The fund shall be placed in an insured or collateralized
17 interest-bearing account and the interest which accrues to the fund
18 shall be retained in the fund. Monies in the limited-purpose fund
19 shall be expended only as accumulated and only for the purposes
20 specifically authorized by the County Economic Development Act of
21 2024.

22 SECTION 6. This act shall become effective November 1, 2024.
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