An Act

ENROLLED HOUSE
BILL NO. 2791

By: Kouplen and Fields of the House

and

Garrison of the Senate

An Act relating to agriculture; amending 2 O.S. 2001, Section 5-82, as last amended by Section 1 of Enrolled House Bill No. 3015 of the 2nd Session of the 52nd Oklahoma Legislature, which relates to the Oklahoma Agricultural Linked Deposit Program; setting maximum loan amount for certain eligible agricultural businesses; and providing an effective date.

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

SECTION 1. AMENDATORY 2 O.S. 2001, Section 5-82, as last amended by Section 1 of Enrolled House Bill No. 3015 of the 2nd Session of the 52nd Oklahoma Legislature, is amended to read as follows:

Section 5-82. As used in the Oklahoma Agricultural Linked Deposit Program:

1. "Agricultural domestic corporation" means any domestic corporation formed or licensed pursuant to the Oklahoma General Corporation Act or a limited domestic liability company formed or licensed pursuant to the Oklahoma Limited Liability Company Act and meeting the requirements of paragraph 5 of subsection A of Section 955 of Title 18 of the Oklahoma Statutes and meeting the requirements of subsection A of Section 951 of Title 18 of the Oklahoma Statutes;

2. "Agricultural linked deposit" means a certificate of deposit placed by the State Treasurer with an eligible lending institution

or an investment in bonds, notes, debentures, or other obligations or securities issued by the federal farm credit bank with regard to an eligible lending institution for the purpose of carrying out the intent of this program;

3. "Agricultural Linked Deposit Loan Package" means the forms provided by the State Treasurer for the purpose of applying for an agricultural linked deposit;

4. "Alternative agricultural products" means those products included in a report submitted by the Cooperative Extension Service of Oklahoma State University to the Oklahoma Department of Agriculture, Food, and Forestry, and any other products which the State Board of Agriculture determines will diversify Oklahoma's agricultural industry so as to broaden Oklahoma's economic base;

5. "An at-risk farm or ranch business" shall be one that seeks a production loan and meets the following criteria:

a. at least sixty percent (60%) of gross income derived from farming and/or ranching, and

b. a debt-to-asset ratio over forty percent (40%);

6. "Eligible agricultural business" means:

a. any person engaged in producing, processing, or marketing alternative agricultural products,

b. any person who is establishing a veterinary practice in which at least thirty percent (30%) of the practice consists of services for large animals <u>and the total loan amount shall not exceed Two Hundred Fifty Thousand Dollars ($250,000.00)</u>,

c. an at-risk farm or ranch business, within the State of Oklahoma in operation that has developed a management plan through the Intensive Financial Management and Planning Support (IFMAPS) program of the Cooperative Extension Service of Oklahoma State University or the Farm Business Management Program of the Oklahoma Department of Career and Technology Education, or

d. a healthy corner store as certified by the Oklahoma Department of Agriculture, Food, and Forestry;

7. "Eligible lending institution" means a financial institution that agrees to participate in the Oklahoma Agricultural Linked Deposit Program, and:

a. is eligible to be a depository of state funds, or

b. is an institution of the farm credit system organized under the federal "Farm Credit Act of 1971", 12 U.S.C. 2001, as amended; and

8. "Healthy corner store" means a grocery store certified by the Oklahoma Department of Agriculture, Food, and Forestry pursuant to rules adopted by the State Board of Agriculture that markets locally grown fresh fruits and vegetables and nutritious foods and for which the sale of beer and tobacco products constitutes less than ten percent (10%) of its gross sales excluding gasoline and other nongrocery products, such other requirements as may be established in rules adopted by the State Board of Agriculture, and that is located in a geographical area that is underserved by grocery outlets meeting those requirements.

SECTION 2. This act shall become effective November 1, 2010.

Passed the House of Representatives the 17th day of May, 2010.

Presiding Officer of the House of Representatives

Passed the Senate the 25th day of May, 2010.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Governor this 26th

day of May, **20**10,

at 1:47 **o'clock** P **M.**

By:

Approved by the Governor of the State of Oklahoma the 6th **day of**

June, **20**10, **at** 4:39 **o'clock** P **M.**

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this

7th **day of** June, **20**10,

at 2:14 **o'clock** P **M.**

By: