

By: Representative Barnett (92nd)

To: Local and Private  
Legislation; Ways and  
Means

HOUSE BILL NO. 1697  
(As Sent to Governor)

1 AN ACT TO AUTHORIZE THE CITY OF BROOKHAVEN, MISSISSIPPI, TO  
2 ISSUE BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$3,000,000.00 FOR  
3 THE PURPOSE OF ERECTING, REPAIRING AND EQUIPPING BUILDINGS ON  
4 PROPERTY OWNED BY THE CITY; TO AUTHORIZE THE CITY TO CONTRACT WITH  
5 THE STATE OF MISSISSIPPI FOR THE SALE OR LEASE OF CERTAIN  
6 CITY-OWNED PROPERTY; AND FOR RELATED PURPOSES.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

8 SECTION 1. The governing authorities of the City of  
9 Brookhaven, Mississippi, in their discretion, may issue general  
10 obligation bonds of the city in the maximum principal amount of  
11 Three Million Dollars (\$3,000,000.00) for the purpose of providing  
12 funds for erecting, repairing, improving, adorning and equipping  
13 buildings on the property owned by the City of Brookhaven formerly  
14 operated as Whitworth College.

15 SECTION 2. Before the issuance of any bonds under this act,  
16 the governing authorities of the city shall adopt and publish a  
17 resolution declaring their intention to issue such bonds pursuant  
18 to Section 21-33-307, Mississippi Code of 1972; however, in the  
19 discretion of the governing authorities, the previous adoption of  
20 a resolution by the governing authorities on June 2, 1998,  
21 declaring the intent of the governing authorities to issue general  
22 obligation bonds of the city in the maximum principal amount of  
23 Three Million Dollars (\$3,000,000.00) for the purpose of erecting,  
24 repairing, improving, adorning and equipping buildings to be used  
25 as municipal buildings, community centers and a city hall, and the  
26 publication of such resolution pursuant to Section 21-33-307,  
27 Mississippi Code of 1972, shall be deemed to have satisfied the  
28 requirements of this section, and the bonds for the purposes

29 stated in Section 1 of this act may be issued by the governing  
30 authorities of the city without any further resolution declaring  
31 their intent or publication of such resolution. If the resolution  
32 adopted by the governing authorities on June 2, 1998, is deemed to  
33 have fulfilled the requirements of this section, bonds in the  
34 maximum principal amount of Three Million Dollars (\$3,000,000.00)  
35 may be issued for the purposes stated in Section 1 of this act, or  
36 for the purposes stated in the resolution of June 2, 1998, or for  
37 any combination of such purposes; however, the aggregate principal  
38 amount of any such bond issue or bond issues shall not exceed  
39 Three Million Dollars (\$3,000,000.00).

40 SECTION 3. The governing authorities of the City of  
41 Brookhaven may contract with the State of Mississippi or any  
42 agency or department of the state for the sale of any buildings,  
43 lands or other properties of the city, either now in existence or  
44 to be constructed, improved or added to, for such purposes as may  
45 be specified in the contract. The sale may be made subject to a  
46 reverter to the City of Brookhaven in the event that such  
47 buildings, lands or other properties transferred by the city are  
48 not used for any of the purposes stated in the contract.

49 SECTION 4. The governing authorities of the City of  
50 Brookhaven may enter into a contract or contracts or other  
51 agreement with the State of Mississippi or any department or  
52 agency of the state pertaining to the lease of such buildings,  
53 lands or other properties, for such term as may be agreed upon  
54 mutually and may enter into such other contracts or agreements  
55 with the State of Mississippi and any department or agency of the  
56 state pertaining to such buildings, lands or other properties, and  
57 the use thereof, as may be deemed necessary or appropriate.

58 SECTION 5. This act, without regard to any statute not  
59 referenced in this act, shall be full and complete authority for  
60 the issuance of bonds under this act and shall be construed as an  
61 additional and alternative method therefor. All powers necessary  
62 to be exercised in order to carry out this act are conferred.

63 SECTION 6. (1) Any bonds issued under this act and the  
64 income from such bonds shall be exempt from all State of  
65 Mississippi taxation, except inheritance and gift taxes.

66           (2) Any bonds issued under this act shall be legal  
67 investments for commercial banks, savings and loan associations  
68 and insurance companies organized under the laws of this state.

69           SECTION 7. Any bonds issued under this act shall be  
70 validated in the manner provided by Chapter 13, Title 31,  
71 Mississippi Code of 1972, and to that end, the city clerk shall be  
72 directed to make up a transcript of all legal papers and  
73 proceedings relating to the bonds and to certify and forward the  
74 transcript to the state bond attorney for the institution of  
75 validation proceedings.

76           SECTION 8. Except as otherwise provided in this act, bonds  
77 authorized under this act shall be issued in accordance with  
78 Sections 21-33-301 through 21-33-329, Mississippi Code of 1972.

79           SECTION 9. This act shall take effect and be in force from  
80 and after its passage.