

By: Horne

To: Ways and Means

HOUSE BILL NO. 1

1 AN ACT TO TRANSFER CERTAIN POWERS AND DUTIES OF THE  
2 MISSISSIPPI HOME CORPORATION TO THE MISSISSIPPI DEPARTMENT OF  
3 ECONOMIC AND COMMUNITY DEVELOPMENT; TO REQUIRE THE DEPARTMENT OF  
4 ECONOMIC AND COMMUNITY DEVELOPMENT TO ENSURE THE PAYMENT OF  
5 OBLIGATIONS OF THE MISSISSIPPI HOME CORPORATION OUTSTANDING ON THE  
6 EFFECTIVE DATE OF THIS ACT; TO PROVIDE THAT EXCESS MONIES OF THE  
7 MISSISSIPPI HOME CORPORATION SHALL BE DEPOSITED INTO THE STATE  
8 GENERAL FUND AND THAT ALL PROPERTY OF THE CORPORATION SHALL BE  
9 VESTED IN THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO AMEND  
10 SECTION 43-33-759, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONEY  
11 IN THE MISSISSIPPI AFFORDABLE HOUSING DEVELOPMENT FUND SHALL BE  
12 USED TO PAY DEBT SERVICE ON BONDS ISSUED BY THE MISSISSIPPI HOME  
13 CORPORATION AND OTHER MONETARY OBLIGATIONS OF THE CORPORATION; TO  
14 PROVIDE THAT ALL OTHER EXCESS MONIES IN THE FUND SHALL BE  
15 DEPOSITED INTO THE STATE GENERAL FUND; TO PROVIDE FOR THE REPEAL  
16 OF SUCH SECTION UPON THE PAYMENT OF OUTSTANDING OBLIGATIONS OF THE  
17 MISSISSIPPI HOME CORPORATION; TO AMEND SECTION 57-61-36,  
18 MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS  
19 ACT; TO REPEAL SECTIONS 43-33-701 THROUGH 43-33-757 AND 43-33-761  
20 THROUGH 43-33-797, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE  
21 CREATION OF THE MISSISSIPPI HOME CORPORATION AND PROVIDE THE  
22 POWERS AND DUTIES OF THE CORPORATION; AND FOR RELATED PURPOSES.

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

24 SECTION 1. (1) From and after the effective date of House  
25 Bill No. \_\_\_\_\_, 2000 Regular Session, all powers, duties and  
26 authority of the Mississippi Home Corporation ("corporation"),  
27 except as otherwise provided in this section, shall be transferred  
28 to the Mississippi Department of Economic and Community  
29 Development ("department"). The authority of the corporation to  
30 make loans and provide other forms of assistance for housing  
31 purposes and the authority to issue bonds shall not be transferred

32 to the department. The department shall take all actions  
33 necessary to ensure the payment of all bonds, notes or other  
34 obligations of the corporation outstanding on the effective date  
35 of House Bill No. \_\_\_\_\_, 2000 Regular Session.

36 (2) The department shall receive all loan repayments,  
37 penalties and other fees and charges from borrowers on loans made  
38 by the corporation and shall deposit such repayments into the  
39 Mississippi Affordable Housing Development Fund created in Section  
40 43-33-759.

41 (3) Any monies of the corporation not utilized under Section  
42 43-33-759, shall be deposited into the State General Fund. All  
43 property of the corporation shall be vested in the Department of  
44 Finance and Administration.

45 SECTION 2. Section 43-33-759, Mississippi Code of 1972, is  
46 amended as follows:

47 43-33-759. There is hereby created in the State Treasury a  
48 special fund to be known as the Mississippi Affordable Housing  
49 Development Fund to be administered as a revolving fund for the  
50 provision of affordable housing to very low income, low income,  
51 and moderate income persons. Subject to the provisions of this  
52 section and Section 1 of House Bill No. \_\_\_\_\_, 2000 Regular Session,  
53 the fund shall be used exclusively to support programs created or  
54 administered by the Mississippi Home Corporation under the powers  
55 granted to it by law. To this fund shall be deposited all loan  
56 repayments, penalties, and other fees and charges accruing to the  
57 fund, and any appropriations, donations, gifts, grants or loans  
58 which may be made thereto; however, no bond funds shall be  
59 deposited into the special fund unless authorized by the  
60 Legislature. \* \* \*

61 Subject to the provisions of this section and Section 1 of  
62 House Bill No. \_\_\_\_\_, 2000 Regular Session, the State Fiscal

63 Management Board is authorized and directed to draw warrants upon  
64 such funds from time to time upon requisition of the Home  
65 Corporation executed by its executive director, and the State  
66 Treasurer is hereby authorized and directed to pay such warrants.

67 Subject to the provisions of this section and Section 1 of House  
68 Bill No. \_\_\_\_\_, 2000 Regular Session, the Home Corporation shall  
69 have continuing authority to expend funds up to the maximum amount  
70 received into the special fund.

71 From and after the effective date of House Bill No. \_\_\_\_\_,  
72 2000 Regular Session, monies in the fund shall not be used for the  
73 purpose of making loans or providing any form of assistance.

74 From and after the effective date of House Bill No. \_\_\_\_\_, 2000  
75 Regular Session, money in the Mississippi Affordable Housing  
76 Development Fund shall be used to pay debt service on outstanding  
77 bonds of the Mississippi Home Corporation in accordance with the  
78 proceeding authorizing the issuance of such bonds. Money  
79 remaining in the fund after the payment of debt service on such  
80 bonds shall be used to satisfy monetary obligations of the  
81 corporation. Any monies in the Mississippi Affordable Housing  
82 Development Fund not used under this paragraph shall be deposited  
83 into the State General Fund.

84 This section shall be repealed upon the full repayment of all  
85 bonds, notes or other obligations of the corporation outstanding  
86 on the effective date of House Bill No. \_\_\_\_\_, 2000 Regular  
87 Session.

88 SECTION 3. Section 57-61-36, Mississippi Code of 1972, is  
89 amended as follows:

90 57-61-36. (1) Notwithstanding any provision of this chapter

91 to the contrary, the Department of Economic and Community  
92 Development shall utilize not more than Nine Million Dollars  
93 (\$9,000,000.00) out of the proceeds of bonds authorized to be  
94 issued in this chapter for the purpose of making grants to  
95 municipalities through a development infrastructure grant fund to  
96 complete infrastructure related to new or expanded industry.

97 (2) Notwithstanding any provision of this chapter to the  
98 contrary, the Department of Economic and Community Development may  
99 utilize not more than Seven Million Dollars (\$7,000,000.00) out of  
100 the proceeds of bonds authorized to be issued in this chapter for  
101 the purpose of making interest-bearing loans to any agency,  
102 department, institution, instrumentality or political subdivision  
103 of the state; or any agency, department, institution or  
104 instrumentality of any political subdivision of the state; or any  
105 business, organization, corporation, association or other legal  
106 entity meeting criteria established by the department, through a  
107 housing development revolving loan fund, to construct or repair  
108 housing for low or moderate income earners; provided, however,  
109 that the department may not utilize any bond proceeds authorized  
110 under this chapter for the purpose of making any loans to the  
111 Mississippi Home Corporation for any purpose whatsoever. No more  
112 than forty percent (40%) of the additional bonds authorized by  
113 this section in House Bill No. 1694, 1998 Regular Session [Laws,  
114 1998, Chapter 559], may be used for multiple family housing  
115 activities. \* \* \* This subsection (2) shall be repealed from and  
116 after July 1, 2001.

117 (3) Notwithstanding any provision of this chapter to the  
118 contrary, the Department of Economic and Community Development

119 shall utilize not more than Five Million Dollars (\$5,000,000.00)  
120 out of the proceeds of bonds authorized to be issued in this  
121 chapter for the purpose of making grants to municipalities through  
122 an equipment and public facilities grant fund to aid in  
123 infrastructure-related improvements as determined by the  
124 Department of Economic and Community Development, the purchase of  
125 equipment and in the purchase, construction or repair and  
126 renovation of public facilities. Any bonds previously issued for  
127 the Development Infrastructure Revolving Loan Program which have  
128 not been loaned or applied for are eligible to be administered as  
129 grants.

130 The requirements of Section 57-61-9 shall not apply to any  
131 grant made under this subsection. The Department of Economic and  
132 Community Development may establish criteria and guidelines to  
133 govern grants made pursuant to this subsection.

134 SECTION 4. Sections 43-33-701, 43-33-702, 43-33-703,  
135 43-33-704, 43-33-705, 43-33-707, 43-33-709, 43-33-711, 43-33-713,  
136 43-33-715, 43-33-717, 43-33-719, 43-33-721, 43-33-723, 43-33-725,  
137 43-33-727, 43-33-729, 43-33-731, 43-33-733, 43-33-735, 43-33-737,  
138 43-33-739, 43-33-741, 43-33-743, 43-33-745, 43-33-747, 43-33-749,  
139 43-33-751, 43-33-753, 43-33-755, 43-33-757, 43-33-761, 43-33-763,  
140 43-33-765, 43-33-767, 43-33-769, 43-33-771, 43-33-773, 43-33-775,  
141 43-33-777, 43-33-779, 43-33-781, 43-33-783, 43-33-785, 43-33-787,  
142 43-33-789, 43-33-791, 43-33-793, 43-33-795 and 43-33-797,  
143 Mississippi Code of 1972, which provide for the creation of the  
144 Mississippi Home Corporation and provide the powers and duties of  
145 the corporation, are repealed.

146 SECTION 5. This act shall take effect and be in force from

147 and after its passage.