

By: Horne

To: Ways and Means

HOUSE BILL NO. 594

1 AN ACT TO AMEND SECTION 43-33-729, MISSISSIPPI CODE OF 1972,  
2 WHICH AUTHORIZES THE MISSISSIPPI HOME CORPORATION TO ISSUE BONDS,  
3 TO SET A REPEALER DATE OF JULY 1, 2001, ON THE SECTION; AND FOR  
4 RELATED PURPOSES.

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

6 SECTION 1. Section 43-33-729, Mississippi Code of 1972, is  
7 amended as follows:

8 43-33-729. (1) The corporation may from time to time issue  
9 its negotiable bonds and notes in such principal amounts as, in  
10 the opinion of the corporation, shall be necessary to provide  
11 sufficient funds for achieving the corporate purposes thereof,  
12 including operating expenses and reserves, the payment of interest  
13 on bonds and notes of the corporation, establishment of reserves  
14 to secure such bonds and notes, and all other expenditures of the  
15 corporation incident to and necessary or convenient to carry out  
16 its corporate purposes and powers. Provided, except as otherwise  
17 authorized herein, bonds and notes shall not be issued under this  
18 article in an aggregate principal amount exceeding One Hundred  
19 Ninety Million Dollars (\$190,000,000.00), excluding bonds and  
20 notes issued to refund outstanding bonds and notes.

21 (2) The provisions of Sections 75-71-1 through 75-71-57,  
22 Mississippi Code of 1972 (the "Mississippi Securities Act"), shall

23 not apply to bonds and notes issued under the authority of this  
24 article, and no application for a formal exemption from the  
25 provisions of such act shall be required with respect to such  
26 bonds and notes.

27 (3) Except as may otherwise be expressly provided by the  
28 corporation, all bonds and notes issued by the corporation shall  
29 be general obligations of the corporation, secured by the full  
30 faith and credit of the corporation and payable out of any monies,  
31 assets or revenues of the corporation, subject only to any  
32 agreement with the bondholders or noteholders pledging any  
33 particular monies, assets or revenues.

34 The corporation may issue bonds or notes to which the  
35 principal and interest are payable:

36 (a) Exclusively from the revenues of the corporation  
37 resulting from the use of the proceeds of such bonds or notes; or

38 (b) Exclusively from any particular revenues of the  
39 corporation, whether or not resulting from the use of the proceeds  
40 of such bonds or notes.

41 (4) Any bonds or notes issued by the corporation may be  
42 additionally secured:

43 (a) By private insurance, by a direct pay or standby  
44 letter of credit, or by any other credit enhancement facility  
45 procured by the corporation for the payment of any such bonds;

46 (b) By a pledge of any grant, subsidy or contribution  
47 from the United States or any agency or instrumentality thereof,  
48 or from the state or any agency, instrumentality or political  
49 subdivision thereof, or from any person, firm or corporation; or

50 (c) By the pledge of any securities, funds or reserves  
51 (or earnings thereon) available to the corporation.

52 (5) Bonds and notes issued by the corporation shall be  
53 authorized by a resolution or resolutions of the corporation

54 adopted as provided for by this article; provided, that any such  
55 resolution authorizing the issuance of bonds or notes may delegate  
56 to an officer or officers of the corporation the power to issue  
57 such bonds or notes from time to time and to fix the details of  
58 any such issues of bonds or notes by an appropriate certification  
59 of such authorized officer.

60 (6) Except as specifically provided in this article, no  
61 notice, consent or approval by any governmental body or public  
62 officer shall be required as a prerequisite to the issuance, sale  
63 or delivery of any bonds or notes of the corporation pursuant to  
64 the provisions of this article. However, all bonds or notes  
65 issued pursuant to this article may be validated, except as  
66 otherwise provided in this section, in accordance with the  
67 provisions of Sections 31-13-1 through 31-13-11, Mississippi Code  
68 of 1972, in the same manner as provided therein for bonds issued  
69 by a municipality. Any such validation proceedings shall be held  
70 in the First Judicial District of Hinds County, Mississippi.  
71 Notice thereof shall be given by publication in any newspaper  
72 published in the City of Jackson, Mississippi, and of general  
73 circulation throughout the state.

74 (7) It is hereby determined that the corporation is the sole  
75 entity in the state authorized to issue bonds or notes for the  
76 purposes of financing low and moderate income rental or  
77 residential housing as set forth in this article. In addition,  
78 the corporation shall have the power to issue mortgage credit  
79 certificates, as provided by Section 25 of the Internal Revenue  
80 Code of 1954, as amended, and to comply with all of the terms and  
81 conditions set forth in Section 25, as the same may be amended

82 from time to time.

83 (8) The provisions of this section shall stand repealed from  
84 and after July 1,2001.

85 SECTION 2. This act shall take effect and be in force from  
86 and after July 1, 2001.