AN ACT TO AUTHORIZE THE MISSISSIPPI TRANSPORTATION COMMISSION TO BORROW AN AMOUNT OF MONEY NOT TO EXCEED $50,000,000.00 IN THE AGGREGATE FROM ANY SOURCE FOR CASH FLOW NEEDS THROUGHOUT THE YEAR WHEN THE EXECUTIVE DIRECTOR OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION CERTIFIES TO THE COMMISSION THAT IN HIS OPINION THE DEPARTMENT WILL EXPERIENCE CASH FLOW DEFICIENCIES; TO PROVIDE THAT THE TERM OF ANY SUCH LOAN SHALL NOT BE MORE THAN 24 MONTHS; AND FOR RELATED PURPOSES.

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

SECTION 1. (1) The commission may borrow an amount of money not to exceed Fifty Million Dollars ($50,000,000.00) in the aggregate from any source for cash flow needs throughout the year when the executive director of the department certifies to the commission that in his opinion the department will experience cash flow deficiencies. The commission may pledge, as security for such interim financing, future funds that will be received by the department. Any such loan shall be repaid from the first available funds received by the department in the manner and subject to the same terms as provided in this section.

(2) Such interim financing shall be upon such terms and conditions as may be agreed upon by the commission and the party advancing such interim funds; provided, however, that the principal on any such loan shall be paid within twenty-four (24) months after such financing is obtained. The interest rate on such interim financing shall not exceed that allowed in Section 75-17-107.

(3) Such borrowing shall be authorized by a resolution of the commission and may be evidenced by a negotiable note or notes in such form as may be prescribed in such resolution.
(4) Such borrowing, whether or not evidenced by a negotiable note or notes, may be placed or sold at public or private sale for such price and in such manner and, from time to time, as may be determined by the commission, and the commission may pay all expenses, premiums and commissions which the commission may deem necessary or advantageous in connection with the issuance thereto.

(5) Such borrowing shall be limited to the amount that may be repaid by the anticipated funds that will be available to pay off the loan when required by the terms of the interim financing agreement.

SECTION 2. Section 1 of this act shall be codified as a separate code section in Chapter 1, Title 65, Mississippi Code of 1972.

SECTION 3. This act shall take effect and be in force from and after July 1, 2002.