HOUSE BILL NO. 1491

AN ACT TO AMEND SECTION 61-3-60, MISSISSIPPI CODE OF 1972, TO INCREASE FROM $5,000,000.00 TO $10,000,000.00, THE AMOUNT OF MONEY THAT AN AIRPORT AUTHORITY MAY BORROW FOR CERTAIN PURPOSES IN ANTICIPATION OF THE RECEIPT OF FUNDS; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 61-3-60, Mississippi Code of 1972, is amended as follows:

61-3-60. (1) In addition to the power to borrow money pursuant to Sections 61-3-27 through 61-3-61, Mississippi Code of 1972, an airport authority may, in anticipation of the receipt of income, revenues, grants or subsidies from any source, including, but not limited to, the federal government or any federal agency, the state or any state agency, any municipality or taxing authority, or the proceeds of bonds authorized by Sections 61-3-27 through 61-3-61, Mississippi Code of 1972, borrow money to be payable over a period of time not to exceed ten (10) years, in an amount or amounts not to exceed in the aggregate Ten Million Dollars ($10,000,000.00) for the purposes and under the terms and conditions set out in subsections (2), (3), (4) and (5) of this section.

(2) Any loans made under *** this section shall be first authorized by resolution of the airport authority setting out the need for such loan, the purposes for which the proceeds shall be used, and the source or sources from which it anticipates that the loan shall be retired. The purposes for which such loans are authorized may include any purposes for which bonds may be issued under this chapter and for the maintenance and repair of runways, taxiways, ramps or other facilities necessary for the safe,
orderly and convenient handling of aircraft traffic; and for the employment of personnel and purchase of supplies and equipment and payment of expenses which, in the judgment of the authority, shall be necessary or convenient in the safe operation of the airport facilities. The resolution shall also set out the schedule of repayment and may pledge therefor any anticipated funds not previously pledged to the retirement of the loan or loans.

(3) The loans authorized by this section may be made by any bank located in the State of Mississippi or by any trust companies or other lending institutions, investment banking firms or persons in the United States having the authority to enter into such loans. The loans may bear interest at a rate not to exceed thirteen percent (13%) per annum. The loans shall be evidenced by the notes of the airport authority and shall not constitute a debt of the commissioners thereof, and the lender shall have the right of mandamus and any other appropriate writ or legal or equitable remedy for the collection of the notes and the cost of collection.

(4) In order to provide for, and in connection with, such short-term borrowings, an airport authority is authorized to enter into any note, loan, credit agreement or agreements, or other agreement or agreements necessary therefor containing provisions not inconsistent with the provisions of this section.

(5) The interest on the notes authorized by this section shall at all times be exempt from all taxation in this state.

SECTION 2. This act shall take effect and be in force from and after its passage.