

By: Senator(s) Jackson (11th), Jordan,
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Walls, Ross, Clarke, Thames, Tollison,
Simmons

To: Local and Private;
Finance

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 3169

1 AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF QUITMAN
2 COUNTY, MISSISSIPPI, TO ISSUE REFUNDING BONDS TO REFUND CERTAIN
3 BONDED OR OTHER INDEBTEDNESS OF THE COUNTY; AND FOR RELATED
4 PURPOSES.

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

6 **SECTION 1.** It is determined and declared that for the
7 benefit of the people of Quitman County, Mississippi, the purpose
8 of this act is to provide an alternative method for refunding
9 bonds and other indebtedness of Quitman County. This act shall be
10 liberally construed to meet such purpose.

11 **SECTION 2.** As used in this act:

12 (a) "Bonds" means bonds, notes or other obligations by
13 the county issued pursuant to this act.

14 (b) "County" means Quitman County, Mississippi.

15 (c) "Board of supervisors" means the Board of
16 Supervisors of Quitman County, Mississippi.

17 **SECTION 3.** (1) The board of supervisors may, without an
18 election on the question, issue the bonds of the county for the
19 purpose of refunding any bonded or other indebtedness, including,
20 but not limited to, interfund loans or transfers of the county,
21 loans with the State of Mississippi and lease purchase obligations
22 of the county, whether the bonded or other indebtedness shall, at
23 the time of such refunding, be due or maturing in the future. The
24 amount of the refunding bonds issued pursuant to this act shall
25 not exceed Two Million Five Hundred Thousand Dollars
26 (\$2,500,000.00). Any refunding bonds so issued shall be included
27 in the limitation imposed by Section 19-9-5, Mississippi Code of
28 1972.

29 (2) Refunding bonds may be issued pursuant to this section
30 in a sufficient amount to pay and retire any of the then
31 outstanding bonds and other indebtedness, including, but not
32 limited to, interfund loans or transfers of the county, loans with
33 the State of Mississippi and lease purchase obligations of the
34 county, whether the bonded or other indebtedness shall, at the
35 time of such refunding, be due or maturing in the future, together
36 with interest thereon to the date of the issuance of the refunding
37 bonds or to such subsequent date as the board of supervisors may
38 determine.

39 (3) The power to refund bonds and other indebtedness and pay
40 the accrued and unpaid interest thereon may be exercised whenever
41 funds available from taxes are not sufficient to pay such
42 outstanding bonds or other indebtedness and the interest thereon
43 when they mature.

44 **SECTION 4.** Refunding bonds issued pursuant to this act shall
45 bear such rate or rates of interest as may be determined by the
46 board of supervisors, not exceeding seven percent (7%) per annum
47 payable semiannually; shall be in such denomination or
48 denominations and form as may be determined by resolution or order
49 of the board of supervisors; and shall be executed on behalf of
50 the county by such officer or officers of the county as may be
51 determined in the resolution or order.

52 **SECTION 5.** The resolution or order providing for the
53 issuance of refunding bonds pursuant to this act may reserve unto
54 the board of supervisors the right to call in, pay and redeem such
55 bonds in the inverse order of their numbers and maturities, prior
56 to the maturity date or dates thereof, on any interest payment
57 date. Whenever it is desired to exercise this right, if reserved
58 in the resolution or order, the governing body shall cause written
59 notice thereof to be delivered to the bank or office at which the
60 bonds are payable. The notice shall be delivered not less than
61 thirty (30) days prior to the interest payment date designated for

62 the redemption of the bonds, after which date no further interest
63 shall accrue on the bonds so called for redemption. Refunding
64 bonds may be sold as a public or private sale.

65 **SECTION 6.** (a) All refunding bonds issued under the
66 provisions of this act shall be general obligations of the county,
67 and the board of supervisors shall annually levy a tax upon all
68 taxable property within the county sufficient to pay the principal
69 of, and the interest on, the bonds as they mature and accrue. The
70 full faith, credit and resources of the county shall be, and are
71 hereby irrevocably pledged to the payment of the refunding bonds
72 issued pursuant to this act, both as to principal and interest.

73 (b) The tax levy authorized in paragraph (a) of this
74 subsection shall be included when determining the limits on the
75 amount of any increases as set forth in Section 27-39-321,
76 Mississippi Code of 1972, and the county shall, to the extent the
77 required levy would cause the limit to be exceeded, either:

78 (i) Adjust the general fund or such other special
79 levy as may be required to maintain the ten percent (10%) increase
80 limit; or

81 (ii) Comply with the procedures set forth in
82 Sections 27-39-203 and 27-39-205.

83 **SECTION 7.** This act, without reference to any statute, shall
84 be deemed to be full and complete authority for the issuance of
85 bonds pursuant to this act, and shall be construed as an
86 additional and alternative method therefor, and none of the
87 present restrictions, requirements, conditions or limitations of
88 law applicable to the issuance or sale of bonds, notes or other
89 obligations by counties in this state shall apply to the issuance
90 and sale of bonds under this act; no proceedings shall be required
91 for the issuance of bonds under this act other than those provided
92 for and required by this act; and all powers necessary to be
93 exercised in order to carry out the provision of this act are
94 hereby conferred on the board of supervisors.

95 **SECTION 8.** This act shall take effect and be in force from
96 and after its passage and shall stand repealed from and after July
97 1, 2005.