

By: Representative Watson

To: Ways and Means

HOUSE BILL NO. 774

1 AN ACT TO AMEND SECTION 43-33-25, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT BONDS OF A HOUSING AUTHORITY MAY BE SOLD TO
3 FEDERALLY CHARTERED CORPORATIONS AT PRIVATE SALE WITHOUT PUBLIC
4 ADVERTISEMENT; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 43-33-25, Mississippi Code of 1972, is
7 amended as follows:

8 43-33-25. Bonds of an authority shall be authorized by its
9 resolution and may be issued in one or more series and shall bear
10 such date or dates, mature at such time or times, bear interest at
11 such rate or rates, not to exceed that allowed in Section
12 75-17-103, Mississippi Code of 1972, be in such denomination or
13 denominations, be in such form, either coupon or registered, carry
14 such conversion or registration privileges, have such rank or
15 priority, be executed in such manner, be payable in such medium of
16 payment, at such place or places, and be subject to such terms of
17 redemption (with or without premium) as such resolution, its trust
18 indenture or mortgage may provide. No bond shall bear more than
19 one (1) rate of interest; each bond shall bear interest from its
20 date to its stated maturity date at the interest rate specified in
21 the bid; all bonds of the same maturity shall bear the same rate
22 of interest from date to maturity; all interest accruing on such
23 bonds so issued shall be payable semiannually or annually, except
24 that the first interest coupon attached to any such bond may be
25 for any period not exceeding one (1) year.

26 No interest payment shall be evidenced by more than one (1)
27 coupon and neither cancelled nor supplemental coupons shall be
28 permitted; the lowest interest rate specified for any bonds issued

29 shall not be less than seventy percent (70%) of the highest
30 interest rate specified for the same bond issued. The interest
31 rate of any one (1) interest coupon shall not exceed the maximum
32 interest rate allowed on such bonds.

33 Each interest rate specified in any bid must be in multiples
34 of one-eighth of one percent (1/8 of 1%) or in multiples of
35 one-tenth of one percent (1/10 of 1%). The denomination, form,
36 and place, or places, of payment of such bonds shall be fixed in
37 the resolution or ordinance of the governing authorities issuing
38 such bonds. Such bonds shall be executed by the manual or
39 facsimile signature of the chairman and secretary of such
40 authority, with the seal of the authority impressed, imprinted or
41 reproduced thereon. At least one (1) signature on each bond shall
42 be a manual signature, as specified in the resolution. The
43 coupons may bear only the facsimile signatures of such chairman
44 and secretary. No bonds shall be issued and sold under the
45 provisions of this article for less than par and accrued interest.

46 The bonds may be sold at not less than par at public sale
47 held after notice published once at least five (5) days prior to
48 such sale in a newspaper having a general circulation in the area
49 of operation and in a financial newspaper published in the City of
50 Jackson, Mississippi, or in the City of New York, New York. Such
51 bonds may be sold at not less than par to the federal government
52 and/or a federally chartered corporation at private sale without
53 any public advertisement.

54 In case any of the commissioners or officers of the authority
55 whose signatures appear on any bonds or coupons shall cease to be
56 such commissioners or officers before the delivery of such bonds,
57 such signatures shall, nevertheless, be valid and sufficient for
58 all purposes, the same as if such commissioners or officers had
59 remained in office until such delivery. Any provision of any law
60 to the contrary notwithstanding, any bonds issued pursuant to this
61 article shall be fully negotiable.

62 In any suit, action or proceedings, involving the validity or
63 enforceability of any bond of an authority or the security
64 therefor, any such bond reciting in substance that it has been
65 issued by the authority to aid in financing a housing project to
66 provide dwelling accommodations for persons of low income shall be
67 conclusively deemed to have been issued for a housing project of
68 such character, and said project shall be conclusively deemed to
69 have been planned, located and constructed in accordance with the
70 purposes and provisions of this article.

71 **SECTION 2.** This act shall take effect and be in force from
72 and after July 1, 2005.