

By: Representatives Smith, Byrd, Holloway,  
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Mickens

To: Ways and Means

## HOUSE BILL NO. 1559

1 AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION  
2 BONDS TO PROVIDE FUNDS TO ASSIST THE MISSISSIPPI'S TOUGHEST KIDS  
3 FOUNDATION IN PAYING COSTS ASSOCIATED WITH DESIGN, PREPLANNING,  
4 CONSTRUCTION, FURNISHING AND EQUIPPING OF BUILDINGS AND RELATED  
5 FACILITIES AT CAMP KAMASSA IN COPIAH COUNTY, MISSISSIPPI, AND  
6 CONSTRUCTION AND DEVELOPMENT OF INFRASTRUCTURE AT THE CAMP; AND  
7 FOR RELATED PURPOSES.

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

9 **SECTION 1.** (1) As used in this section, the following words  
10 shall have the meanings ascribed herein unless the context clearly  
11 requires otherwise:

12 (a) "Accreted value" of any bond means, as of any date  
13 of computation, an amount equal to the sum of (i) the stated  
14 initial value of such bond, plus (ii) the interest accrued thereon  
15 from the issue date to the date of computation at the rate,  
16 compounded semiannually, that is necessary to produce the  
17 approximate yield to maturity shown for bonds of the same  
18 maturity.

19 (b) "State" means the State of Mississippi.

20 (c) "Commission" means the State Bond Commission.



21           (2)   (a)   (i)   A special fund, to be designated the "2018  
22   Camp Kamassa Construction Fund," is created within the State  
23   Treasury. The fund shall be maintained by the State Treasurer as  
24   a separate and special fund, separate and apart from the General  
25   Fund of the state. Unexpended amounts remaining in the fund at  
26   the end of a fiscal year shall not lapse into the State General  
27   Fund, and any interest earned or investment earnings on amounts in  
28   the fund shall be deposited into such fund.

29                       (ii)   Monies deposited into the fund shall be  
30   disbursed, in the discretion of the Department of Finance and  
31   Administration, to assist the Mississippi's Toughest Kids  
32   Foundation in paying costs associated with:

33                       1.   Design, preplanning, construction,  
34   furnishing and equipping of buildings and related facilities at  
35   Camp Kamassa in Copiah County, Mississippi, and

36                       2.   Design, preplanning, construction and  
37   development of infrastructure at Camp Kamassa in Copiah County,  
38   Mississippi.

39           (b)   Amounts deposited into such special fund shall be  
40   disbursed to pay the costs of the projects described in paragraph  
41   (a) of this subsection. Promptly after the commission has  
42   certified, by resolution duly adopted, that the projects described  
43   in paragraph (a) of this subsection shall have been completed,  
44   abandoned, or cannot be completed in a timely fashion, any amounts  
45   remaining in such special fund shall be applied to pay debt



46 service on the bonds issued under this section, in accordance with  
47 the proceedings authorizing the issuance of such bonds and as  
48 directed by the commission.

49       (3)   (a)   The commission, at one time, or from time to time,  
50 may declare by resolution the necessity for issuance of general  
51 obligation bonds of the State of Mississippi to provide funds for  
52 all costs incurred or to be incurred for the purposes described in  
53 subsection (2) of this section. Upon the adoption of a resolution  
54 by the Department of Finance and Administration, declaring the  
55 necessity for the issuance of any part or all of the general  
56 obligation bonds authorized by this subsection, the department  
57 shall deliver a certified copy of its resolution or resolutions to  
58 the commission. Upon receipt of such resolution, the commission,  
59 in its discretion, may act as the issuing agent, prescribe the  
60 form of the bonds, determine the appropriate method for sale of  
61 the bonds, advertise for and accept bids or negotiate the sale of  
62 the bonds, issue and sell the bonds so authorized to be sold and  
63 do any and all other things necessary and advisable in connection  
64 with the issuance and sale of such bonds. The total amount of  
65 bonds issued under this section shall not exceed Six Million  
66 Dollars (\$6,000,000.00); however, not more than Two Million  
67 Dollars (\$2,000,000.00) of such bonds may be issued in any one (1)  
68 fiscal year. No bonds shall be issued under this section after  
69 July 1, 2022.



70           (b) Any investment earnings on amounts deposited into  
71 the special fund created in subsection (2) of this section shall  
72 be used to pay debt service on bonds issued under this section, in  
73 accordance with the proceedings authorizing issuance of such  
74 bonds.

75           (4) The principal of and interest on the bonds authorized  
76 under this section shall be payable in the manner provided in this  
77 subsection. Such bonds shall bear such date or dates, be in such  
78 denomination or denominations, bear interest at such rate or rates  
79 (not to exceed the limits set forth in Section 75-17-101,  
80 Mississippi Code of 1972), be payable at such place or places  
81 within or without the State of Mississippi, shall mature  
82 absolutely at such time or times not to exceed twenty-five (25)  
83 years from date of issue, be redeemable before maturity at such  
84 time or times and upon such terms, with or without premium, shall  
85 bear such registration privileges, and shall be substantially in  
86 such form, all as shall be determined by resolution of the  
87 commission.

88           (5) The bonds authorized by this section shall be signed by  
89 the chairman of the commission, or by his facsimile signature, and  
90 the official seal of the commission shall be affixed thereto,  
91 attested by the secretary of the commission. The interest  
92 coupons, if any, to be attached to such bonds may be executed by  
93 the facsimile signatures of such officers. Whenever any such  
94 bonds shall have been signed by the officials designated to sign



the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to



120 pay the costs that are incident to the sale, issuance and delivery  
121 of the bonds authorized under this section from the proceeds  
122 derived from the sale of such bonds. The commission may sell such  
123 bonds on sealed bids at public sale or may negotiate the sale of  
124 the bonds for such price as it may determine to be for the best  
125 interest of the State of Mississippi. All interest accruing on  
126 such bonds so issued shall be payable semiannually or annually.

127 If such bonds are sold by sealed bids at public sale, notice  
128 of the sale shall be published at least one (1) time, not less  
129 than ten (10) days before the date of sale, and shall be so  
130 published in one or more newspapers published or having a general  
131 circulation in the City of Jackson, Mississippi, selected by the  
132 commission.

133 The commission, when issuing any bonds under the authority of  
134 this section, may provide that bonds, at the option of the State  
135 of Mississippi, may be called in for payment and redemption at the  
136 call price named therein and accrued interest on such date or  
137 dates named therein.

138 (8) The bonds issued under the provisions of this section  
139 are general obligations of the State of Mississippi, and for the  
140 payment thereof the full faith and credit of the State of  
141 Mississippi is irrevocably pledged. If the funds appropriated by  
142 the Legislature are insufficient to pay the principal of and the  
143 interest on such bonds as they become due, then the deficiency  
144 shall be paid by the State Treasurer from any funds in the State



Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal,



170 school district and other bonds. The notice to taxpayers required  
171 by such statutes shall be published in a newspaper published or  
172 having a general circulation in the City of Jackson, Mississippi.

173 (12) Any holder of bonds issued under the provisions of this  
174 section or of any of the interest coupons pertaining thereto may,  
175 either at law or in equity, by suit, action, mandamus or other  
176 proceeding, protect and enforce any and all rights granted under  
177 this section, or under such resolution, and may enforce and compel  
178 performance of all duties required by this section to be  
179 performed, in order to provide for the payment of bonds and  
180 interest thereon.

181 (13) All bonds issued under the provisions of this section  
182 shall be legal investments for trustees and other fiduciaries, and  
183 for savings banks, trust companies and insurance companies  
184 organized under the laws of the State of Mississippi, and such  
185 bonds shall be legal securities which may be deposited with and  
186 shall be received by all public officers and bodies of this state  
187 and all municipalities and political subdivisions for the purpose  
188 of securing the deposit of public funds.

189 (14) Bonds issued under the provisions of this section and  
190 income therefrom shall be exempt from all taxation in the State of  
191 Mississippi.

192 (15) The proceeds of the bonds issued under this section  
193 shall be used solely for the purposes herein provided, including  
194 the costs incident to the issuance and sale of such bonds.





195           (16) The State Treasurer is authorized, without further  
196 process of law, to certify to the Department of Finance and  
197 Administration the necessity for warrants, and the Department of  
198 Finance and Administration is authorized and directed to issue  
199 such warrants, in such amounts as may be necessary to pay when due  
200 the principal of, premium, if any, and interest on, or the  
201 accreted value of, all bonds issued under this section; and the  
202 State Treasurer shall forward the necessary amount to the  
203 designated place or places of payment of such bonds in ample time  
204 to discharge such bonds, or the interest thereon, on the due dates  
205 thereof.

206           (17) This section shall be deemed to be full and complete  
207 authority for the exercise of the powers herein granted, but this  
208 section shall not be deemed to repeal or to be in derogation of  
209 any existing law of this state.

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

