

By: Representative Calhoun

To: Ways and Means

HOUSE BILL NO. 474

1 AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION
2 BONDS TO PROVIDE FUNDS TO ASSIST THE JACKSON MUNICIPAL AIRPORT
3 AUTHORITY IN PAYING COSTS ASSOCIATED WITH IMPROVEMENTS AT HAWKINS
4 FIELD AIRPORT AND JACKSON-MEDGAR WILEY EVERS INTERNATIONAL
5 AIRPORT; AND FOR RELATED PURPOSES.

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

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

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

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

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



19 (2) (a) (i) A special fund, to be designated as the "2019
20 Jackson Municipal Airport Authority Hawkins Field Airport
21 Improvements Fund," is created within the State Treasury. The
22 fund shall be maintained by the State Treasurer as a separate and
23 special fund, separate and apart from the General Fund of the
24 state. Unexpended amounts remaining in the fund at the end of a
25 fiscal year shall not lapse into the State General Fund, and any
26 interest earned or investment earnings on amounts in the fund
27 shall be deposited into such fund.

28 (ii) Monies deposited into the fund shall be
29 disbursed, in the discretion of the Department of Finance and
30 Administration, to assist the Jackson Municipal Airport Authority
31 in paying costs associated with the following purposes at Hawkins
32 Field Airport in Jackson, Mississippi:

33 1. Planning, design and construction related
34 to preservation and renovation of the historic terminal building
35 and related facilities, relocation of the airport entrance and
36 other upgrades and improvements to airport property and
37 facilities; and

38 2. Acquisition of property near the airport
39 for the purpose of enhancing future development at the airport.

40 (b) Amounts deposited into such special fund shall be
41 disbursed to pay the costs of projects described in paragraph (a)
42 of this subsection. Promptly after the commission has certified,
43 by resolution duly adopted, that the projects described in



paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) (i) A special fund, to be designated the "2019 Jackson Municipal Airport Authority Jackson-Medgar Wiley Evers International Airport Infrastructure Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the Jackson Municipal Airport Authority in paying costs associated with the following purposes at Jackson-Medgar Wiley Evers International Airport in Rankin County, Mississippi:

1. Planning, design, construction and development of an access road that will connect to the East Metro Parkway in Rankin County, Mississippi; and



68 2. Planning, design, construction and
69 development of sewer, water, natural gas and electrical
70 infrastructure.

71 (b) Amounts deposited into such special fund shall be
72 disbursed to pay the costs of the projects described in paragraph
73 (a) of this subsection. Promptly after the commission has
74 certified, by resolution duly adopted, that the projects described
75 in paragraph (a) of this subsection shall have been completed,
76 abandoned, or cannot be completed in a timely fashion, any amounts
77 remaining in such special fund shall be applied to pay debt
78 service on the bonds issued under this section, in accordance with
79 the proceedings authorizing the issuance of such bonds and as
80 directed by the commission.

81 (4) (a) The commission, at one time, or from time to time,
82 may declare by resolution the necessity for issuance of general
83 obligation bonds of the State of Mississippi to provide funds for
84 all costs incurred or to be incurred for the purposes described in
85 subsections (2) and (3) of this section. Upon the adoption of a
86 resolution by the Department of Finance and Administration
87 declaring the necessity for the issuance of any part or all of the
88 general obligation bonds authorized by this section, the
89 Department of Finance and Administration shall deliver a certified
90 copy of its resolution or resolutions to the commission. Upon
91 receipt of such resolution, the commission, in its discretion, may
92 act as issuing agent, prescribe the form of the bonds, determine



93 the appropriate method for sale of the bonds, advertise for and
94 accept bids or negotiate the sale of the bonds, issue and sell the
95 bonds so authorized to be sold, and do any and all other things
96 necessary and advisable in connection with the issuance and sale
97 of such bonds. The total amount of bonds issued under this
98 section shall not exceed Thirteen Million One Hundred Ninety-three
99 Thousand Five Hundred Dollars (\$13,193,500.00). No bonds shall be
100 issued under this section after July 1, 2023.

101 (b) The proceeds of the bonds issued pursuant to this
102 section shall be deposited into the following special funds in not
103 more than the following amounts:

104 (i) The 2019 Jackson Municipal Airport Authority
105 Hawkins Field Airport Improvements Fund created pursuant to
106 subsection (2) of this section.....\$ 3,000,000.00.

107 (ii) The 2019 Jackson Municipal Airport Authority
108 Jackson-Medgar Wiley Evers International Airport Infrastructure
109 Improvements Fund created pursuant to subsection (3) of this
110 section.....\$ 10,193,500.00.

111 (c) Any investment earnings on amounts deposited into
112 the special funds created in subsections (2) and (3) of this
113 section shall be used to pay debt service on bonds issued under
114 this section, in accordance with the proceedings authorizing
115 issuance of such bonds.

116 (5) The principal of and interest on the bonds authorized
117 under this section shall be payable in the manner provided in this



subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(6) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such 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.

(7) 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.

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



168 If such bonds are sold by sealed bids at public sale, notice
169 of the sale shall be published at least one time, not less than
170 ten (10) days before the date of sale, and shall be so published
171 in one or more newspapers published or having a general
172 circulation in the City of Jackson, Mississippi, selected by the
173 commission.

174 The commission, when issuing any bonds under the authority of
175 this section, may provide that bonds, at the option of the State
176 of Mississippi, may be called in for payment and redemption at the
177 call price named therein and accrued interest on such date or
178 dates named therein.

179 (9) The bonds issued under the provisions of this section
180 are general obligations of the State of Mississippi, and for the
181 payment thereof the full faith and credit of the State of
182 Mississippi is irrevocably pledged. If the funds appropriated by
183 the Legislature are insufficient to pay the principal of and the
184 interest on such bonds as they become due, then the deficiency
185 shall be paid by the State Treasurer from any funds in the State
186 Treasury not otherwise appropriated. All such bonds shall contain
187 recitals on their faces substantially covering the provisions of
188 this subsection.

189 (10) Upon the issuance and sale of bonds under the
190 provisions of this section, the commission shall transfer the
191 proceeds of any such sale or sales to the special funds created in
192 subsections (2) and (3) of this section in the amounts provided



for in subsection (4) (b) 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.

(11) 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.

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

(13) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other



proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

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

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

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

(17) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the



243 accreted value of, all bonds issued under this section; and the
244 State Treasurer shall forward the necessary amount to the
245 designated place or places of payment of such bonds in ample time
246 to discharge such bonds, or the interest thereon, on the due dates
247 thereof.

248 (18) This section shall be deemed to be full and complete
249 authority for the exercise of the powers herein granted, but this
250 section shall not be deemed to repeal or to be in derogation of
251 any existing law of this state.

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

