

By: Representatives Smith, Dixon

To: Ways and Means

HOUSE BILL NO. 1131

1 AN ACT TO AMEND SECTION 57-31-13, MISSISSIPPI CODE OF 1972,
2 TO ALLOW CERTAIN COUNTY INDUSTRIAL DEVELOPMENT AUTHORITIES TO SELL
3 BONDS OR NOTES TO THE UNITES STATES OF AMERICA, OR ANY AGENCY
4 THEREOF; TO AMEND SECTION 57-31-9, MISSISSIPPI CODE OF 1972, IN
5 CONFORMITY THERETO; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 57-31-13, Mississippi Code of 1972, is
8 amended as follows:

9 57-31-13. The authority may sell such bonds in such manner
10 and for such price as it may determine to be for the best interest
11 of the State of Mississippi, but no such sale shall be made at a
12 price less than par plus accrued interest to date of delivery of
13 the bonds to the purchaser. Notice of the sale of any such bonds
14 shall be published at least one time not less than ten (10) days
15 prior to the date of sale and shall be so published in one * * *
16 or more newspapers published in such county and in one * * * or
17 more other newspapers or financial journals as may be directed by
18 the authority.



19 If the authority shall have received a commitment from the
20 United States of America, or any agency thereof, for the purchase
21 of all or any portion of an issue of such bonds or notes prior to
22 the sale thereof or for financial assistance in providing debt
23 service on such bonds or notes, then and in such event, said issue
24 or any part thereof may be sold to the United States of America,
25 or any agency thereof, at private sale. Provided, however, no
26 bonds or notes so issued shall bear an overall maximum interest
27 rate greater than that allowed in Section 75-17-103. Any bond or
28 note issue to be awarded and sold to the United States of America,
29 or any agency thereof, shall mature at such time or times, not to
30 exceed thirty-five (35) years, as shall be prescribed in the
31 resolution of the authority authorizing their issuance.

32 **SECTION 2.** Section 57-31-9, Mississippi Code of 1972, is
33 amended as follows:

34 57-31-9. The authority shall have power and is hereby
35 authorized with the approval and consent of the board of
36 supervisors of such county, at one time or from time to time, to
37 provide by resolution for the issuance of negotiable promissory
38 notes or revenue bonds of the authority to provide funds for the
39 purpose of paying all or any part of the cost of any project
40 authorized by this chapter, but in no event shall the amount of
41 such bonds issued for any project exceed the estimated cost of any
42 such project nor shall the amount of such bonds exceed the amount
43 which can be repaid, together with interest accruing thereon, from



44 funds pledged to said authority under Section 27-39-329. The
45 principal of and the interest on such revenue bonds shall be
46 payable solely from a special fund to be provided for that purpose
47 in the manner hereinafter set forth. Such bonds shall bear date
48 or dates, be in such denomination or denominations, bear interest
49 at such rate or rates, be payable at such place or places within
50 or without the State of Mississippi, shall mature absolutely at
51 such time or times, be redeemable prior to maturity at such time
52 or times and upon such terms, with or without premium, shall bear
53 such registration privileges, and shall be substantially in such
54 form, all as shall be determined by resolution of the authority;
55 however, except as otherwise provided in Section 57-31-13, such
56 bonds shall mature in annual installments extending not more than
57 thirty (30) years from date thereof. Such bonds shall be signed
58 by the president of the authority, or by his facsimile signature,
59 and the official seal of the authority shall be affixed thereto,
60 attested by the secretary of the authority. The interest coupons,
61 if any, to be attached to such bonds may be executed by the
62 facsimile signatures of said officers. Whenever any such bonds
63 shall have been signed by the officials herein designated to sign
64 the bonds who were in office at the time of such signing but who
65 may have ceased to be such officers prior to the sale and delivery
66 of such bonds, or who may not have been in office on the date such
67 bonds may bear, the signatures of such officers upon such bonds
68 and coupons shall nevertheless be valid and sufficient for all



69 purposes and have the same effect as if the person so officially
70 signing such bonds had remained in office until the delivery of
71 the same to purchaser or had been in office on the date such bonds
72 may bear. Prior to approval being granted by the board for bonds
73 to be issued by the authority, the board shall comply with the
74 provisions of Section 19-9-11. The bonds of any issue shall not
75 bear a greater overall maximum interest rate to maturity than that
76 allowed in Section 75-17-103. No bond shall bear more than one
77 (1) rate of interest; each bond shall bear interest from its date
78 to its stated maturity date at the interest rate specified in the
79 bid; all bonds of the same maturity shall bear the same rate of
80 interest from date to maturity; all interest accruing on such
81 bonds so issued shall be payable semiannually or annually, except
82 that the first interest coupon attached to any such bond may be
83 for any period not exceeding one (1) year.

84 No interest payment shall be evidenced by more than one (1)
85 coupon and neither cancelled nor supplemental coupons shall be
86 permitted; the lowest interest rate specified for any bonds issued
87 shall not be less than seventy percent (70%) of the highest
88 interest rate specified for the same bond issue.

89 Each interest rate specified in any bid must be in multiples
90 of one-eighth of one percent ($1/8$ of 1%) or in multiples of
91 one-tenth of one percent ($1/10$ of 1%). The denomination, form,
92 and place, or places, of payment of such bonds shall be fixed in
93 the resolution or order of the authority issuing such bonds.



94 In addition to the other powers and authority granted by this
95 section, the authority is granted the authority, with the approval
96 and consent of the board of supervisors of the county, to provide
97 by resolution for the issuance of a negotiable promissory note in
98 an amount not to exceed Fifteen Million Dollars (\$15,000,000.00)
99 to provide funds for a project described in Section
100 57-75-5(f)(xxii) provided the authority makes a finding that the
101 promissory note will be paid by bonds issued by the board of
102 supervisors of the county. Compliance with the notice provisions
103 of Section 19-9-11 shall not be required for the approval of such
104 promissory note.

105 **SECTION 3.** This act shall take effect and be in force from
106 and after July 1, 2019.

