

By: Senator(s) Jolly

To: Finance

SENATE BILL NO. 3066

1 AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION
 2 BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF
 3 CALHOUN COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH THE
 4 IMPROVING OF ENTRANCES AND PAVING OF PARKING LOTS FOR THE CALHOUN
 5 COUNTY HEALTH DEPARTMENT BUILDINGS LOCATED ON MISSISSIPPI HIGHWAY
 6 9 IN PITTSBORO, MISSISSIPPI; AND FOR RELATED PURPOSES.

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

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

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

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

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



20 (2) (a) (i) A special fund, to be designated as the "2019
21 Calhoun County Health Department Buildings Fund," is created
22 within the State Treasury. The fund shall be maintained by the
23 State Treasurer as a separate and special fund, separate and apart
24 from the General Fund of the state. Unexpended amounts remaining
25 in the fund at the end of a fiscal year shall not lapse into the
26 State General Fund, and any interest earned or investment earnings
27 on amounts in the fund 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 Board of Supervisors of Calhoun
31 County, Mississippi, in paying costs associated with the improving
32 of entrances and paving of parking lots for the Calhoun County
33 Health Department buildings, located on Mississippi Highway 9 in
34 Pittsboro, Mississippi.

35 (b) Amounts deposited into such special fund shall be
36 disbursed to pay the costs of the projects described in paragraph
37 (a) of this subsection. Promptly after the commission has
38 certified, by resolution duly adopted, that the projects described
39 in paragraph (a) of this subsection shall have been completed,
40 abandoned, or cannot be completed in a timely fashion, any amounts
41 remaining in such special fund shall be applied to pay debt
42 service on the bonds issued under this section, in accordance with
43 the proceedings authorizing the issuance of such bonds and as
44 directed by the commission.



45 (c) The Department of Finance and Administration,
46 acting through the Bureau of Building, Grounds and Real Property
47 Management, is expressly authorized and empowered to receive and
48 expend any local or other source funds in connection with the
49 expenditure of funds provided for in this subsection. The
50 expenditure of monies deposited into the special fund shall be
51 under the direction of the Department of Finance and
52 Administration, and such funds shall be paid by the State
53 Treasurer upon warrants issued by such department, which warrants
54 shall be issued upon requisitions signed by the Executive Director
55 of the Department of Finance and Administration, or his designee.

56 (3) (a) The commission, at one time, or from time to time,
57 may declare by resolution the necessity for issuance of general
58 obligation bonds of the State of Mississippi to provide funds for
59 all costs incurred or to be incurred for the purposes described in
60 subsection (2) of this section. Upon the adoption of a resolution
61 by the Department of Finance and Administration, declaring the
62 necessity for the issuance of any part or all of the general
63 obligation bonds authorized by this subsection, the department
64 shall deliver a certified copy of its resolution or resolutions to
65 the commission. Upon receipt of such resolution, the commission,
66 in its discretion, may act as the issuing agent, prescribe the
67 form of the bonds, determine the appropriate method for sale of
68 the bonds, advertise for and accept bids or negotiate the sale of
69 the bonds, issue and sell the bonds so authorized to be sold, and



70 do any and all other things necessary and advisable in connection
71 with the issuance and sale of such bonds. The total amount of
72 bonds issued under this section shall not exceed Three Hundred
73 Forty Thousand Dollars (\$340,000.00). No bonds shall be issued
74 under this section after July 1, 2023.

75 (b) Any investment earnings on amounts deposited into
76 the special fund created in subsection (2) of this section shall
77 be used to pay debt service on bonds issued under this section, in
78 accordance with the proceedings authorizing issuance of such
79 bonds.

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

93 (5) The bonds authorized by this section shall be signed by
94 the chairman of the commission, or by his facsimile signature, and



95 the official seal of the commission shall be affixed thereto,
96 attested by the secretary of the commission. The interest
97 coupons, if any, to be attached to such bonds may be executed by
98 the facsimile signatures of such officers. Whenever any such
99 bonds shall have been signed by the officials designated to sign
100 the bonds who were in office at the time of such signing but who
101 may have ceased to be such officers before the sale and delivery
102 of such bonds, or who may not have been in office on the date such
103 bonds may bear, the signatures of such officers upon such bonds
104 and coupons shall nevertheless be valid and sufficient for all
105 purposes and have the same effect as if the person so officially
106 signing such bonds had remained in office until their delivery to
107 the purchaser, or had been in office on the date such bonds may
108 bear. However, notwithstanding anything herein to the contrary,
109 such bonds may be issued as provided in the Registered Bond Act of
110 the State of Mississippi.

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

117 (7) The commission shall act as the issuing agent for the
118 bonds authorized under this section, prescribe the form of the
119 bonds, determine the appropriate method for sale of the bonds,



120 advertise for and accept bids or negotiate the sale of the bonds,
121 issue and sell the bonds so authorized to be sold, pay all fees
122 and costs incurred in such issuance and sale, and do any and all
123 other things necessary and advisable in connection with the
124 issuance and sale of such bonds. The commission is authorized and
125 empowered to pay the costs that are incident to the sale, issuance
126 and delivery of the bonds authorized under this section from the
127 proceeds derived from the sale of such bonds. The commission may
128 sell such bonds on sealed bids at public sale or may negotiate the
129 sale of the bonds for such price as it may determine to be for the
130 best interest of the State of Mississippi. All interest accruing
131 on such bonds so issued shall be payable semiannually or annually.

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

138 The commission, when issuing any bonds under the authority of
139 this section, may provide that bonds, at the option of the State
140 of Mississippi, may be called in for payment and redemption at the
141 call price named therein and accrued interest on such date or
142 dates named therein.

143 (8) The bonds issued under the provisions of this section
144 are general obligations of the State of Mississippi, and for the



145 payment thereof the full faith and credit of the State of
146 Mississippi is irrevocably pledged. If the funds appropriated by
147 the Legislature are insufficient to pay the principal of and the
148 interest on such bonds as they become due, then the deficiency
149 shall be paid by the State Treasurer from any funds in the State
150 Treasury not otherwise appropriated. All such bonds shall contain
151 recitals on their faces substantially covering the provisions of
152 this subsection.

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

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



170 (11) The bonds authorized under the authority of this
171 section may be validated in the Chancery Court of the First
172 Judicial District of Hinds County, Mississippi, in the manner and
173 with the force and effect provided by Chapter 13, Title 31,
174 Mississippi Code of 1972, for the validation of county, municipal,
175 school district and other bonds. The notice to taxpayers required
176 by such statutes shall be published in a newspaper published or
177 having a general circulation in the City of Jackson, Mississippi.

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

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



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

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

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

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

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

