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H. B. No. 1027

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By: Representatives Mangold, Bell (21st), To: Agriculture Boyd, Carpenter, Clark, Faulkner, Ford (54th), Gibbs (36th), Pigott, Scoggin, Shanks, Smith, Tullos, Turner, Weathersby, Miles

## HOUSE BILL NO. 1027

1 AN ACT TO AMEND SECTION 69-2-13, MISSISSIPPI CODE OF 1972, TO 2 INCREASE THE MAXIMUM LOAN AMOUNT MADE FROM THE EMERGING CROPS FUND 3 TO AGRIBUSINESS OR GREENHOUSE PRODUCTION HORTICULTURE ENTERPRISES FOR INITIAL CONSTRUCTION OR RENOVATIONS TO AN EXISTING 5 AGRIBUSINESS OR GREENHOUSE PRODUCTION HORTICULTURE ENTERPRISE TO 6 \$250,000.00, AND CAPPING THE AGGREGATE AMOUNT OF LOANS MADE TO ANY 7 ONE ENTERPRISE TO \$500,000.00; TO AMEND SECTION 69-2-19, MISSISSIPPI CODE OF 1972, TO INCREASE THE MAXIMUM BONDING 8 9 AUTHORITY OF MDA UNDER THE EMERGING CROPS FUND TO \$114,000,000.00; 10 AND FOR RELATED PURPOSES. BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI: 11 SECTION 1. Section 69-2-13, Mississippi Code of 1972, is 12 13 amended as follows: 69-2-13. (1) There is hereby established in the State 14 15 Treasury a fund to be known as the "Emerging Crops Fund," which 16 shall be used to pay the interest on loans made to farmers for 17 nonland capital costs of establishing production of emerging crops on land in Mississippi, and to make loans and grants which are 18 authorized under this section to be made from the fund. The fund 19 20 shall be administered by the Mississippi Development Authority. A board comprised of the directors of the authority, the Mississippi 21

Cooperative Extension Service, the Mississippi Small Farm

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- 23 Development Center and the Mississippi Agricultural and Forestry
- 24 Experiment Station, or their designees, shall develop definitions,
- 25 guidelines and procedures for the implementation of this chapter.
- 26 Funds for the Emerging Crops Fund shall be provided from the
- issuance of bonds or notes under Sections 69-2-19 through 69-2-37
- 28 and from repayment of interest loans made from the fund.
- 29 (2) (a) The Mississippi Development Authority shall develop
- 30 a program which gives fair consideration to making loans for the
- 31 processing and manufacturing of goods and services by
- 32 agribusiness, greenhouse production horticulture, and small
- 33 business concerns. It is the policy of the State of Mississippi
- 34 that the Mississippi Development Authority shall give due
- 35 recognition to and shall aid, counsel, assist and protect, insofar
- 36 as is possible, the interests of agribusiness, greenhouse
- 37 production horticulture, and small business concerns. To ensure
- 38 that the purposes of this subsection are carried out, the
- 39 Mississippi Development Authority shall loan not more than One
- 40 Million Dollars (\$1,000,000.00) to finance any single
- 41 agribusiness, greenhouse production horticulture, or small
- 42 business concern. Loans made pursuant to this subsection shall be
- 43 made in accordance with the criteria established in Section
- 44 57-71-11.
- 45 (b) The Mississippi Development Authority may, out of
- 46 the total amount of bonds authorized to be issued under this
- 47 chapter, make available funds to any planning and development

48	district	in	accordance	with	the	criteria	established	in	Section

- 49 57-71-11. Planning and development districts which receive monies
- 50 pursuant to this provision shall use such monies to make loans to
- 51 private companies for purposes consistent with this subsection.
- 52 (c) The Mississippi Development Authority is hereby
- 53 authorized to engage legal services, financial advisors,
- 54 appraisers and consultants if needed to review and close loans
- 55 made hereunder and to establish and assess reasonable fees
- 56 including, but not limited to, liquidation expenses.
- 57 (d) The State Auditor may conduct performance and
- 58 compliance audits under this chapter according to Section
- 59 7-7-211(o) and may bill the oversight agency.
- 60 (3) (a) The Mississippi Development Authority shall, in
- 61 addition to the other programs described in this section, provide
- 62 for the following programs of loans to be made to agribusiness or
- 63 greenhouse production horticulture enterprises for the purpose of
- 64 encouraging thereby the extension of conventional financing and
- 65 the issuance of letters of credit to such agribusiness or
- 66 greenhouse production horticulture enterprises by private
- 67 institutions. Monies to make such loans by the Mississippi
- 68 Development Authority shall be drawn from the Emerging Crops Fund.
- (b) The Mississippi Development Authority may make
- 70 loans to agribusiness or greenhouse production horticulture
- 71 enterprises. The amount of any loan to any single enterprise
- 72 under this paragraph (b) shall not exceed twenty percent (20%) of

- 73 the total cost of the project for which financing is sought
- 74 or \* \* Two Hundred Fifty Thousand Dollars (\$250,000.00),
- 75 whichever is less. No interest shall be charged on such loans,
- 76 and only the amount actually loaned shall be required to be
- 77 repaid. Repayments shall be deposited into the Emerging Crops
- 78 Fund.
- 79 (c) The Mississippi Development Authority also may make
- 80 loans under this subsection (3) to existing agribusiness or
- 81 greenhouse production horticulture enterprises for the purpose of
- 82 assisting such enterprises to make upgrades, renovations, repairs
- 83 and other improvements to their equipment, facilities and
- 84 operations, which shall not exceed \* \* \* Two Hundred Fifty
- 85 Thousand Dollars (\$250,000.00) or thirty percent (30%) of the
- 86 total cost of the project for which financing is sought, whichever
- 87 is less. No interest shall be charged on loans made under this
- 88 paragraph, and only the amount actually loaned shall be required
- 89 to be repaid. Repayments shall be deposited into the Emerging
- 90 Crops Fund.
- 91 (d) The maximum aggregate amount of loans that may be
- 92 made under this subsection (3) to any one (1) agribusiness shall
- 93 be not more than \* \* \* Five Hundred Thousand Dollars
- 94 (\$500,000.00).
- 95 (4) (a) Through June 30, 2010, the Mississippi Development
- 96 Authority may loan or grant to qualified planning and development
- 97 districts, and to small business investment corporations,

- 98 bank-based community development corporations, the Recruitment and
- 99 Training Program, Inc., the City of Jackson Business Development
- 100 Loan Fund, the Lorman Southwest Mississippi Development
- 101 Corporation, the West Jackson Community Development Corporation,
- 102 the East Mississippi Development Corporation, and other entities
- 103 meeting the criteria established by the Mississippi Development
- 104 Authority (all referred to hereinafter as "qualified entities"),
- 105 funds for the purpose of establishing loan revolving funds to
- 106 assist in providing financing for minority economic development.
- 107 The monies loaned or granted by the Mississippi Development
- 108 Authority shall be drawn from the Emerging Crops Fund and shall
- 109 not exceed Twenty-nine Million Dollars (\$29,000,000.00) in the
- 110 aggregate. Planning and development districts or qualified
- 111 entities which receive monies pursuant to this provision shall use
- 112 such monies to make loans to minority business enterprises
- 113 consistent with criteria established by the Mississippi
- 114 Development Authority. Such criteria shall include, at a minimum,
- 115 the following:
- 116 (i) The business enterprise must be a private,
- 117 for-profit enterprise.
- 118 (ii) If the business enterprise is a
- 119 proprietorship, the borrower must be a resident citizen of the
- 120 State of Mississippi; if the business enterprise is a corporation
- or partnership, at least fifty percent (50%) of the owners must be
- 122 resident citizens of the State of Mississippi.

123	(iii)	The	borrower	must	have	at	least	five	percent
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- 124 (5%) equity interest in the business enterprise.
- 125 (iv) The borrower must demonstrate ability to
- 126 repay the loan.
- 127 (v) The borrower must not be in default of any
- 128 previous loan from the state or federal government.
- 129 (vi) Loan proceeds may be used for financing all
- 130 project costs associated with development or expansion of a new
- 131 small business, including fixed assets, working capital, start-up
- 132 costs, rental payments, interest expense during construction and
- 133 professional fees related to the project.
- 134 (vii) Loan proceeds shall not be used to pay off
- 135 existing debt for loan consolidation purposes; to finance the
- 136 acquisition, construction, improvement or operation of real
- 137 property which is to be held primarily for sale or investment; to
- 138 provide for, or free funds, for speculation in any kind of
- 139 property; or as a loan to owners, partners or stockholders of the
- 140 applicant which do not change ownership interest by the applicant.
- 141 However, this does not apply to ordinary compensation for services
- 142 rendered in the course of business.
- 143 (viii) The maximum amount that may be loaned to
- 144 any one (1) borrower shall be Two Hundred Fifty Thousand Dollars
- 145 (\$250,000.00).
- 146 (ix) The Mississippi Development Authority shall
- 147 review each loan before it is made, and no loan shall be made to

148	any borrower	until	the	loan	has	been	reviewed	and	approved	bу	the
149	Mississippi	Develor	pment	Autl	norit	ty.					

150 (b) For the purpose of this subsection, the term "minority business enterprise" means a socially and economically 151 152 disadvantaged small business concern, organized for profit, 153 performing a commercially useful function which is owned and 154 controlled by one or more minorities or minority business 155 enterprises certified by the Mississippi Development Authority, at 156 least fifty percent (50%) of whom are resident citizens of the 157 State of Mississippi. Except as otherwise provided, for purposes 158 of this subsection, the term "socially and economically 159 disadvantaged small business concern" shall have the meaning 160 ascribed to such term under the Small Business Act (15 USCS, 161 Section 637(a)), or women, and the term "owned and controlled" 162 means a business in which one or more minorities or minority 163 business enterprises certified by the Mississippi Development 164 Authority own sixty percent (60%) or, in the case of a corporation, sixty percent (60%) of the voting stock, and control 165 166 sixty percent (60%) of the management and daily business 167 operations of the business. However, an individual whose personal 168 net worth exceeds Five Hundred Thousand Dollars (\$500,000.00) 169 shall not be considered to be an economically disadvantaged 170 individual.

From and after July 1, 2010, monies not loaned or granted by

the Mississippi Development Authority to planning and development

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districts or qualified entities under this subsection, and monies not loaned by planning and development districts or qualified entities, shall be deposited to the credit of the sinking fund created and maintained in the State Treasury for the retirement of bonds issued under Section 69-2-19.

Notwithstanding any other provision of this subsection to the contrary, if federal funds are not available for commitments made by a planning and development district to provide assistance under any federal loan program administered by the planning and development district in coordination with the Appalachian Regional Commission or Economic Development Administration, or both, a planning and development district may use funds in its loan revolving fund, which have not been committed otherwise to provide assistance, for the purpose of providing temporary funding for such commitments. If a planning and development district uses uncommitted funds in its loan revolving fund to provide such temporary funding, the district shall use funds repaid to the district under the temporarily funded federal loan program to replenish the funds used to provide the temporary funding. Funds used by a planning and development district to provide temporary funding under this paragraph (c) must be repaid to the district's loan revolving fund no later than twelve (12) months after the date the district provides the temporary funding. A planning and development district may not use uncommitted funds in its loan revolving fund to provide

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198	temporary funding under this paragraph (c) on more than two (2)
199	occasions during a calendar year. A planning and development
200	district may provide temporary funding for multiple commitments on
201	each such occasion. The maximum aggregate amount of uncommitted
202	funds in a loan revolving fund that may be used for such purposes
203	during a calendar year shall not exceed seventy percent (70%) of
204	the uncommitted funds in the loan revolving fund on the date the
205	district first provides temporary funding during the calendar
206	year.

If the Mississippi Development Authority determines (d) that a planning and development district or qualified entity has provided loans to minority businesses in a manner inconsistent with the provisions of this subsection, then the amount of such loans so provided shall be withheld by the Mississippi Development Authority from any additional grant funds to which the planning and development district or qualified entity becomes entitled under this subsection. If the Mississippi Development Authority determines, after notifying such planning and development district or qualified entity twice in writing and providing such planning and development district or qualified entity a reasonable opportunity to comply, that a planning and development district or qualified entity has consistently failed to comply with this subsection, the Mississippi Development Authority may declare such planning and development district or qualified entity in default under this subsection and, upon receipt of notice thereof from the

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223	Mississippi Development Authority, such planning and development
224	district or qualified entity shall immediately cease providing
225	loans under this subsection, shall refund to the Mississippi
226	Development Authority for distribution to other planning and
227	development districts or qualified entities all funds held in its
228	revolving loan fund and, if required by the Mississippi
229	Development Authority, shall convey to the Mississippi Development
230	Authority all administrative and management control of loans
231	provided by it under this subsection.

If the Mississippi Development Authority (e) determines, after notifying a planning and development district or qualified entity twice in writing and providing copies of such notification to each member of the Legislature in whose district or in a part of whose district such planning and development district or qualified entity is located and providing such planning and development district or qualified entity a reasonable opportunity to take corrective action, that a planning and development district or qualified entity administering a revolving loan fund under the provisions of this subsection is not actively engaged in lending as defined by the rules and regulations of the Mississippi Development Authority, the Mississippi Development Authority may declare such planning and development district or qualified entity in default under this subsection and, upon receipt of notice thereof from the Mississippi Development Authority, such planning and development district or qualified

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248	entity shall immediately cease providing loans under this
249	subsection, shall refund to the Mississippi Development Authority
250	for distribution to other planning and development districts or
251	qualified entities all funds held in its revolving loan fund and,
252	if required by the Mississippi Development Authority, shall convey
253	to the Mississippi Development Authority all administrative and
254	management control of loans provided by it under this subsection.

The Mississippi Development Authority shall develop a (5) program which will assist minority business enterprises by quaranteeing bid, performance and payment bonds which such minority businesses are required to obtain in order to contract with federal agencies, state agencies or political subdivisions of the state. The Mississippi Development Authority may secure letters of credit, as determined necessary by the authority, to quarantee bid, performance and payment bonds pursuant to this subsection. Monies for such program shall be drawn from the monies allocated under subsection (4) of this section to assist the financing of minority economic development and shall not exceed Three Million Dollars (\$3,000,000.00) in the aggregate. The Mississippi Development Authority may promulgate rules and regulations for the operation of the program established pursuant to this subsection. For the purpose of this subsection (5), the term "minority business enterprise" has the meaning assigned such term in subsection (4) of this section.

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272	(6) The Mississippi Development Authority may loan or grant
273	to public entities and to nonprofit corporations funds to defray
274	the expense of financing (or to match any funds available from
275	other public or private sources for the expense of financing)
276	projects in this state which are devoted to the study, teaching
277	and/or promotion of regional crafts and which are deemed by the
278	authority to be significant tourist attractions. The monies
279	loaned or granted shall be drawn from the Emerging Crops Fund and
280	shall not exceed Two Hundred Fifty Thousand Dollars (\$250,000.00)
281	in the aggregate.

Through June 30, 2006, the Mississippi Development 282 283 Authority shall make available to the Mississippi Department of 284 Agriculture and Commerce funds for the purpose of establishing 285 loan revolving funds and other methods of financing for 286 agribusiness programs administered under the Mississippi Agribusiness Council Act of 1993. The monies made available by 287 288 the Mississippi Development Authority shall be drawn from the 289 Emerging Crops Fund and shall not exceed One Million Two Hundred 290 Thousand Dollars (\$1,200,000.00) in the aggregate. 291 Mississippi Department of Agriculture and Commerce shall establish 292 control and auditing procedures for use of these funds. 293 funds will be used primarily for quick payment to farmers for 294 vegetable and fruit crops processed and sold through vegetable 295 processing plants associated with the Department of Agriculture 296 and Commerce and the Mississippi State Extension Service.

- 297 (8) From and after July 1, 1996, the Mississippi Development
  298 Authority shall make available to the Mississippi Small Farm
  299 Development Center One Million Dollars (\$1,000,000.00) to be used
  300 by the center to assist small entrepreneurs as provided in Section
  301 37-101-25, Mississippi Code of 1972. The monies made available by
  302 the Mississippi Development Authority shall be drawn from the
  303 Emerging Crops Fund.
- 304 (9) [Repealed]
- 305 The Mississippi Development Authority shall make available to the Small Farm Development Center at Alcorn State 306 307 University funds in an aggregate amount not to exceed Three 308 Hundred Thousand Dollars (\$300,000.00), to be drawn from the cash 309 balance of the Emerging Crops Fund. The Small Farm Development 310 Center at Alcorn State University shall use such funds to make 311 loans to producers of sweet potatoes and cooperatives anywhere in 312 the State of Mississippi owned by sweet potato producers to assist 313 in the planting of sweet potatoes and the purchase of sweet potato 314 production and harvesting equipment. A report of the loans made 315 under this subsection shall be furnished by January 15 of each 316 year to the Chairman of the Senate Agriculture Committee and the 317 Chairman of the House Agriculture Committee.
- 318 (11) The Mississippi Development Authority shall make 319 available to the Mississippi Department of Agriculture and 320 Commerce "Make Mine Mississippi" program an amount not to exceed

- One Hundred Fifty Thousand Dollars (\$150,000.00) to be drawn from the cash balance of the Emerging Crops Fund.
- 323 (12) The Mississippi Development Authority shall make
  324 available to the Mississippi Department of Agriculture and
  325 Commerce an amount not to exceed One Hundred Fifty Thousand
  326 Dollars (\$150,000.00) to be drawn from the cash balance of the
  327 Emerging Crops Fund to be used for the rehabilitation and
  328 maintenance of the Mississippi Farmers Central Market in Jackson,
  - (13) The Mississippi Development Authority shall make available to the Mississippi Department of Agriculture and Commerce an amount not to exceed Twenty-five Thousand Dollars (\$25,000.00) to be drawn from the cash balance of the Emerging Crops Fund to be used for advertising purposes related to the Mississippi Farmers Central Market in Jackson, Mississippi.
  - (14) (a) The Mississippi Development Authority shall, in addition to the other programs described in this section, provide for a program of loan guaranties to be made on behalf of any nonprofit entity qualified under Section 501(c)(3) of the Internal Revenue Code and certified by the United States Department of the Treasury as a community development financial institution for the purpose of encouraging the extension of financing to such an entity which financing the entity will use to make funds available to other entities for the purpose of making loans available in low-income communities in Mississippi. Monies to make such loan

Mississippi.

346 quaranties by the Mississippi Development Authority shall be drawn 347

from the Emerging Crops Fund and shall not exceed Two Million

Dollars (\$2,000,000.00) in the aggregate. The amount of a loan 348

quaranty on behalf of such an entity under this subsection (14) 349

shall not exceed Two Million Dollars (\$2,000,000.00). Assistance 350

351 received by an entity under this subsection (14) shall not

352 disqualify the entity from obtaining any other assistance under

353 this chapter.

354 An entity desiring assistance under this subsection

355 (14) must submit an application to the Mississippi Development

356 Authority. The application must include any information required

357 by the Mississippi Development Authority.

358 The Mississippi Development Authority shall have

359 all powers necessary to implement and administer the program

360 established under this subsection (14), and the Mississippi

361 Development Authority shall promulgate rules and regulations, in

362 accordance with the Mississippi Administrative Procedures Law,

363 necessary for the implementation of this subsection (14).

364 (15)The Mississippi Development Authority shall, in (a)

365 addition to the other programs described in this section, provide

366 for a program of grants to agribusiness enterprises that process,

367 dry, store or ship peanuts and if the enterprise has invested

prior to April 17, 2009, a minimum of Six Million Dollars 368

369 (\$6,000,000.00) in land, facilities and equipment in this state

that are utilized to process, dry, store or ship peanuts. Monies 370

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371	to make	such	grants	by	the	Mississippi	Development	Authority	, shall

- 372 be drawn from the Emerging Crops Fund and shall not exceed One
- 373 Million Dollars (\$1,000,000.00) in the aggregate. The amount of a
- 374 grant under this subsection (15) shall not exceed One Million
- 375 Dollars (\$1,000,000.00).
- 376 (b) An entity desiring assistance under this subsection
- 377 (15) must submit an application to the Mississippi Development
- 378 Authority. The application must include a description of the
- 379 project for which assistance is requested, the cost of the project
- 380 for which assistance is requested, the amount of assistance
- 381 requested and any other information required by the Mississippi
- 382 Development Authority.
- 383 (c) As a condition of the receipt of a grant under this
- 384 subsection (15), an entity must agree to remain in business in
- 385 this state for not less than five (5) years and must meet other
- 386 conditions established by the Mississippi Development Authority to
- 387 ensure that the assistance results in an economic benefit to the
- 388 state. The Mississippi Development Authority shall require that
- 389 binding commitments be entered into requiring that:
- 390 (i) The minimum requirements provided for in this
- 391 subsection (15) and the conditions established by the Mississippi
- 392 Development Authority are met; and
- 393 (ii) If such commitments and conditions are not
- 394 met, all or a portion of the funds provided pursuant to this
- 395 subsection (15) shall be repaid.

396	(d) The Mississippi Development Authority shall have
397	all powers necessary to implement and administer the program
398	established under this subsection (15), and the Mississippi
399	Development Authority shall promulgate rules and regulations, in
400	accordance with the Mississippi Administrative Procedures Law,
401	necessary for the implementation of this subsection (15).

- (16) (a) The Mississippi Development Authority, in addition to the other programs described in this section, shall provide for a program of loan guaranties to be made on behalf of certain agribusinesses engaged in sweet potato growing and farming for the purpose of encouraging thereby the extension of conventional financing and the issuance of letters of credit to such agribusinesses by lenders. The amount of a loan guaranty made on behalf of such an agribusiness shall be ninety percent (90%) of the amount of assistance made available by a lender for the purposes authorized under this subsection (16). Monies to make such loan guaranties by the Mississippi Development Authority shall be drawn from the Emerging Crops Fund and shall not exceed Seventeen Million Dollars (\$17,000,000.00) in the aggregate.
- 415 (b) In order to be eligible for assistance under this 416 subsection (16) an agribusiness must:
- 417 (i) Have been actively engaged in sweet potato 418 growing and farming in this state before January 1, 2010;

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420	sweet potato growing and farming purposes for calendar year 2009,
421	as determined by a lender;
422	(iii) Agree to obtain and maintain federal
423	Noninsured Agricultural Program (NAP) insurance coverage for the
424	outstanding balance of any assistance received under this
425	subsection (16); and
426	(iv) Satisfy underwriting criteria established by
427	a lender related to loans under this subsection (16).
428	(c) (i) An entity desiring assistance under this
429	subsection must submit an application for assistance to a lender
430	not later than August 1, 2010. The application must include:
431	1. Information verifying the length of time
432	the applicant has been actively engaged in sweet potato growing
433	and farming in this state;
434	2. Information regarding the number of acres
435	used by the applicant for sweet potato growing and farming
436	purposes during the 2009 calendar year, as certified to by the
437	Farm Services Authority (FSA) or the Mississippi Department of
438	Agriculture and Commerce (MDAC), and the number of acres the
439	applicant intends to use for such purposes during the 2010
440	calendar year;
441	3. The average cost per acre incurred by the
442	applicant for sweet potato growing and farming purposes during th
443	2009 calendar year, as certified to by the FSA or MDAC, and an

(ii) Have incurred a disaster-related loss for

444	estimate	of	the	average	cost	per	acre	to	be	incurred	bу	the
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- 445 applicant for such purposes during the calendar year for which
- 446 application is made;
- 4. The amount of assistance requested;
- 448 5. A statement from the applicant agreeing
- 449 that he will obtain and maintain NAP insurance coverage for the
- 450 outstanding balance of any assistance received under this
- 451 subsection (16); and
- 452 6. Any other information required by the
- 453 lender and/or the MDA.
- 454 (ii) The lender shall review the application for
- 455 assistance and determine whether the applicant qualifies for
- 456 assistance under this subsection (16). If the lender determines
- 457 that the applicant qualifies for assistance, the lender shall loan
- 458 funds to the applicant subject to the provisions of this
- 459 subsection (16).
- 460 (d) Loans made under this subsection (16) shall be
- 461 subject to the following conditions:
- 462 (i) The maximum amount of a loan to a borrower
- 463 shall not exceed One Thousand Seven Hundred Dollars (\$1,700.00)
- 464 per acre and shall exclude any machinery and equipment costs.
- 465 (ii) The proceeds of a loan may be used only for
- 466 paying a borrower's sweet potato planting, production and
- 467 harvesting costs, excluding machinery and equipment costs.

468			(i:	Li)	The	proceeds	of	a	loan	may	not	be	used	to
469	repay,	satisfy	or	fina	ance	existing	dek	ot.						

- (iv) The time allowed for repayment of a loan

  shall not be more than five (5) years, and there shall be no

  penalty, fee or other charge imposed for the prepayment of a loan.
- 473 The receipt of assistance by a person or other 474 entity under any other program described in this section shall not 475 disqualify the person or entity from obtaining a loan under the 476 program established in this subsection (16) if the person or 477 entity is otherwise eligible under this program. In addition, the 478 receipt of a loan by a person or other entity under the program 479 established under this subsection (16) shall not disqualify the 480 person or entity from obtaining assistance under any other program 481 described in this section.
- 482 (f) The Mississippi Development Authority shall have
  483 all powers necessary to implement and administer the program
  484 established under this subsection (16), and the Mississippi
  485 Development Authority shall promulgate rules and regulations, in
  486 accordance with the Mississippi Administrative Procedures Law,
  487 necessary for the implementation of this subsection (16).
- SECTION 2. Section 69-2-19, Mississippi Code of 1972, is amended as follows:
- 490 69-2-19. (1) The Mississippi Development Authority is 491 authorized, at one time, or from time to time, to declare by 492 resolution the necessity for issuance of negotiable general

494	the Emerging Crops Fund established in Section 69-2-13. Upon the
495	adoption of a resolution by the board, declaring the necessity for
496	the issuance of any part or all of the general obligation bonds
497	authorized by Sections 69-2-19 through 69-2-39, the authority
498	shall deliver a certified copy of its resolution or resolutions to
499	the State Bond Commission. Upon receipt of same, the State Bond
500	Commission, in its discretion, shall act as the issuing agent,
501	prescribe the form of the bonds, advertise for and accept bids,
502	issue and sell the bonds so authorized to be sold, and do any and
503	all other things necessary and advisable in connection with the
504	issuance and sale of such bonds. The amount of bonds issued under
505	Sections 69-2-19 through 69-2-39 shall not exceed * * * $\underline{\text{One}}$
506	Hundred Fourteen Million Dollars (\$114,000,000.00) in the
507	aggregate; however:

obligation bonds of the State of Mississippi to provide funds for

- (a) An additional amount of bonds may be issued under Sections 69-2-19 through 69-2-39 in an amount not to exceed Two Million Dollars (\$2,000,000.00), and the proceeds of any such additional bonds shall be used solely for the purposes described in Section 69-2-13(14); and
- 513 (b) An additional amount of bonds may be issued under 514 Sections 69-2-19 through 69-2-39 in an amount not to exceed 515 Seventeen Million Dollars (\$17,000,000.00), and the proceeds of 516 such additional bonds shall be used solely for the purposes 517 described in Section 69-2-13(16).

518	(2)	No	bonds	may	be	issued	under	Sections	69-2-19	through
519	69-2-39	after	c Octob	oer :	1, 2	2019.				

520 **SECTION 3.** This act shall take effect and be in force from 521 and after July 1, 2020.