

By: Representatives Mims, Cockerham,
Mangold, Johnson, Pigott, Harness, Porter

To: Ways and Means

HOUSE BILL NO. 724

1 AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION
2 BONDS TO PROVIDE FUNDS TO ASSIST SCENIC RIVERS DEVELOPMENT
3 ALLIANCE IN PAYING COSTS ASSOCIATED WITH THE ACQUISITION OF
4 APPROXIMATELY ONE HUNDRED FIFTY ACRES OF LAND FROM THE UNITED
5 STATES DEPARTMENT OF AGRICULTURE AND LOCATED IN FRANKLIN COUNTY,
6 MISSISSIPPI, AND RELATED ROAD AND OTHER INFRASTRUCTURE
7 IMPROVEMENTS, AND SITE GRADING OF PUBLIC AREAS, PUBLIC UTILITIES
8 INFRASTRUCTURE IMPROVEMENTS, TECHNOLOGY UPGRADES AND IMPROVEMENTS
9 AND REPAIR AND RENOVATION OF AND UPGRADES AND IMPROVEMENTS TO
10 BUILDINGS AND FACILITIES AT ETHEL VANCE PARK IN AMITE COUNTY,
11 MISSISSIPPI, AND BOGUE CHITTO WATER PARK AND QUAIL HOLLOW GOLF
12 COURSE IN PIKE COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

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

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

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



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

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

26 (2) (a) (i) A special fund, to be designated the "2021
27 Scenic Rivers Development Alliance and Land Acquisition
28 Improvements Fund," is created within the State Treasury. The
29 fund shall be maintained by the State Treasurer as a separate and
30 special fund, separate and apart from the General Fund of the
31 state. Unexpended amounts remaining in the fund at the end of a
32 fiscal year shall not lapse into the State General Fund, and any
33 interest earned or investment earnings on amounts in the fund
34 shall be deposited into such fund.

35 (ii) Monies deposited into the fund shall be
36 disbursed, in the discretion of the Department of Finance and
37 Administration, to assist Scenic Rivers Development Alliance in
38 paying costs associated with:

39 1. The acquisition of approximately one
40 hundred fifty (150) acres of land from the United States
41 Department of Agriculture and located in Franklin County,
42 Mississippi, and related road and other infrastructure
43 improvements;

44 2. Site grading of public areas, public
45 utilities infrastructure improvements, technology upgrades and
46 improvements and repair and renovation of and upgrades and
47 improvements to buildings and facilities at Ethel Vance Park in



Amite County, Mississippi, and Bogue Chitto Water Park and Quail
Hollow Golf Course in Pike County, Mississippi; and

3. The repayment of debt incurred before the
effective date of this act for the purposes described in items 1
and 2 of this subparagraph (ii).

(b) Amounts deposited into such special fund shall be
disbursed to pay the costs of the projects described in paragraph
(a) of this subsection. Promptly after the commission has
certified, 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) The commission, at one time, or from time to time,
may declare by resolution the necessity for issuance of general
obligation bonds of the State of Mississippi to provide funds for
all costs incurred or to be incurred for the purposes described in
subsection (2) of this section. Upon the adoption of a resolution
by the Department of Finance and Administration, declaring the
necessity for the issuance of any part or all of the general
obligation bonds authorized by this subsection, the department
shall deliver a certified copy of its resolution or resolutions to
the commission. Upon receipt of such resolution, the commission,



73 in its discretion, may act as the issuing agent, prescribe the
74 form of the bonds, determine the appropriate method for sale of
75 the bonds, advertise for and accept bids or negotiate the sale of
76 the bonds, issue and sell the bonds so authorized to be sold and
77 do any and all other things necessary and advisable in connection
78 with the issuance and sale of such bonds. The total amount of
79 bonds issued under this section shall not exceed Eight Hundred
80 Twenty-five Thousand Dollars (\$825,000.00). No bonds shall be
81 issued under this section after July 1, 2025.

82 (b) Any investment earnings on amounts deposited into
83 the special fund created in subsection (2) of this section shall
84 be used to pay debt service on bonds issued under this section, in
85 accordance with the proceedings authorizing issuance of such
86 bonds.

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



such form, all as shall be determined by resolution of the
commission.

(5) 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.

(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
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.

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

The commission, when issuing any bonds under the authority of
this section, may provide that bonds, at the option of the State



of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency 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



172 resolution providing for the issuance of bonds under the
173 provisions of this section shall become effective immediately upon
174 its adoption by the commission, and any such resolution may be
175 adopted at any regular or special meeting of the commission by a
176 majority of its members.

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

185 (12) Any holder of bonds issued under the provisions of this
186 section or of any of the interest coupons pertaining thereto may,
187 either at law or in equity, by suit, action, mandamus or other
188 proceeding, protect and enforce any and all rights granted under
189 this section, or under such resolution, and may enforce and compel
190 performance of all duties required by this section to be
191 performed, in order to provide for the payment of bonds and
192 interest thereon.

193 (13) All bonds issued under the provisions of this section
194 shall be legal investments for trustees and other fiduciaries, and
195 for savings banks, trust companies and insurance companies
196 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.

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

(15) 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.

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

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



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

