

By: Representatives Holloway, Stamps

To: Ways and Means

HOUSE BILL NO. 175

1 AN ACT TO AMEND SECTION 69, CHAPTER 480, LAWS OF 2021, TO  
2 REVISE THE PURPOSES FOR WHICH THE PROCEEDS OF BONDS AUTHORIZED TO  
3 BE ISSUED TO ASSIST THE CITY OF HAZLEHURST, MISSISSIPPI, IN PAYING  
4 COSTS ASSOCIATED WITH CONSTRUCTION OF A COMMUNITY CENTER/EMERGENCY  
5 STORM SHELTER AND RELATED FACILITIES, MAY BE USED; AND FOR RELATED  
6 PURPOSES.

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

8 **SECTION 1.** Section 69, Chapter 480, Laws of 2021, is amended  
9 as follows:

10 (1) As used in this section, the following words shall have  
11 the meanings ascribed herein unless the context clearly requires  
12 otherwise:

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

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



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

22 (2) (a) (i) A special fund, to be designated as the "2021  
23 City of Hazlehurst - Community Center/Emergency Storm Shelter  
24 Fund," is created within the State Treasury. The fund shall be  
25 maintained by the State Treasurer as a separate and special fund,  
26 separate and apart from the General Fund of the state. Unexpended  
27 amounts remaining in the fund at the end of a fiscal year shall  
28 not lapse into the State General Fund, and any interest earned or  
29 investment earnings on amounts in the fund shall be deposited into  
30 such fund.

31 (ii) Monies deposited into the fund shall be  
32 disbursed, in the discretion of the Department of Finance and  
33 Administration, to assist the City of Hazlehurst, Mississippi, in  
34 paying costs associated with construction, furnishing and  
35 equipping of a community center/emergency storm shelter and  
36 related facilities.

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



45 the proceedings authorizing the issuance of such bonds and as  
46 directed by the commission.

47 (3) (a) The commission, at one time, or from time to time,  
48 may declare by resolution the necessity for issuance of general  
49 obligation bonds of the State of Mississippi to provide funds for  
50 all costs incurred or to be incurred for the purposes described in  
51 subsection (2) of this section. Upon the adoption of a resolution  
52 by the Department of Finance and Administration, declaring the  
53 necessity for the issuance of any part or all of the general  
54 obligation bonds authorized by this subsection, the department  
55 shall deliver a certified copy of its resolution or resolutions to  
56 the commission. Upon receipt of such resolution, the commission,  
57 in its discretion, may act as issuing agent, prescribe the form of  
58 the bonds, determine the appropriate method for sale of the bonds,  
59 advertise for and accept bids or negotiate the sale of the bonds,  
60 issue and sell the bonds so authorized to be sold, and do any and  
61 all other things necessary and advisable in connection with the  
62 issuance and sale of such bonds. The total amount of bonds issued  
63 under this section shall not exceed Seven Hundred Fifty Thousand  
64 Dollars (\$750,000.00). No bonds shall be issued under this  
65 section after July 1, 2025.

66 (b) Any investment earnings on amounts deposited into  
67 the special fund created in subsection (2) of this section shall  
68 be used to pay debt service on bonds issued under this section, in



69 accordance with the proceedings authorizing issuance of such  
70 bonds.

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

84 (5) The bonds authorized by this section shall be signed by  
85 the chairman of the commission, or by his facsimile signature, and  
86 the official seal of the commission shall be affixed thereto,  
87 attested by the secretary of the commission. The interest  
88 coupons, if any, to be attached to such bonds may be executed by  
89 the facsimile signatures of such officers. Whenever any such  
90 bonds shall have been signed by the officials designated to sign  
91 the bonds who were in office at the time of such signing but who  
92 may have ceased to be such officers before the sale and delivery  
93 of such bonds, or who may not have been in office on the date such



94 bonds may bear, the signatures of such officers upon such bonds  
95 and coupons shall nevertheless be valid and sufficient for all  
96 purposes and have the same effect as if the person so officially  
97 signing such bonds had remained in office until their delivery to  
98 the purchaser, or had been in office on the date such bonds may  
99 bear. However, notwithstanding anything herein to the contrary,  
100 such bonds may be issued as provided in the Registered Bond Act of  
101 the State of Mississippi.

102 (6) All bonds and interest coupons issued under the  
103 provisions of this section have all the qualities and incidents of  
104 negotiable instruments under the provisions of the Uniform  
105 Commercial Code, and in exercising the powers granted by this  
106 section, the commission shall not be required to and need not  
107 comply with the provisions of the Uniform Commercial Code.

108 (7) The commission shall act as issuing agent for the bonds  
109 authorized under this section, prescribe the form of the bonds,  
110 determine the appropriate method for sale of the bonds, advertise  
111 for and accept bids or negotiate the sale of the bonds, issue and  
112 sell the bonds so authorized to be sold, pay all fees and costs  
113 incurred in such issuance and sale, and do any and all other  
114 things necessary and advisable in connection with the issuance and  
115 sale of such bonds. The commission is authorized and empowered to  
116 pay the costs that are incident to the sale, issuance and delivery  
117 of the bonds authorized under this section from the proceeds  
118 derived from the sale of such bonds. The commission may sell such



119 bonds on sealed bids at public sale or may negotiate the sale of  
120 the bonds for such price as it may determine to be for the best  
121 interest of the State of Mississippi. All interest accruing on  
122 such bonds so issued shall be payable semiannually or annually.

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

129 The commission, when issuing any bonds under the authority of  
130 this section, may provide that bonds, at the option of the State  
131 of Mississippi, may be called in for payment and redemption at the  
132 call price named therein and accrued interest on such date or  
133 dates named therein.

134 (8) The bonds issued under the provisions of this section  
135 are general obligations of the State of Mississippi, and for the  
136 payment thereof the full faith and credit of the State of  
137 Mississippi is irrevocably pledged. If the funds appropriated by  
138 the Legislature are insufficient to pay the principal of and the  
139 interest on such bonds as they become due, then the deficiency  
140 shall be paid by the State Treasurer from any funds in the State  
141 Treasury not otherwise appropriated. All such bonds shall contain  
142 recitals on their faces substantially covering the provisions of  
143 this subsection.



144           (9) Upon the issuance and sale of bonds under the provisions  
145 of this section, the commission shall transfer the proceeds of any  
146 such sale or sales to the special fund created in subsection (2)  
147 of this section. The proceeds of such bonds shall be disbursed  
148 solely upon the order of the Department of Finance and  
149 Administration under such restrictions, if any, as may be  
150 contained in the resolution providing for the issuance of the  
151 bonds.

152           (10) The bonds authorized under this section may be issued  
153 without any other proceedings or the happening of any other  
154 conditions or things other than those proceedings, conditions and  
155 things which are specified or required by this section. Any  
156 resolution providing for the issuance of bonds under the  
157 provisions of this section shall become effective immediately upon  
158 its adoption by the commission, and any such resolution may be  
159 adopted at any regular or special meeting of the commission by a  
160 majority of its members.

161           (11) The bonds authorized under the authority of this  
162 section may be validated in the Chancery Court of the First  
163 Judicial District of Hinds County, Mississippi, in the manner and  
164 with the force and effect provided by Chapter 13, Title 31,  
165 Mississippi Code of 1972, for the validation of county, municipal,  
166 school district and other bonds. The notice to taxpayers required  
167 by such statutes shall be published in a newspaper published or  
168 having a general circulation in the City of Jackson, Mississippi.



169           (12) Any holder of bonds issued under the provisions of this  
170 section or of any of the interest coupons pertaining thereto may,  
171 either at law or in equity, by suit, action, mandamus or other  
172 proceeding, protect and enforce any and all rights granted under  
173 this section, or under such resolution, and may enforce and compel  
174 performance of all duties required by this section to be  
175 performed, in order to provide for the payment of bonds and  
176 interest thereon.

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

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

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

191           (16) The State Treasurer is authorized, without further  
192 process of law, to certify to the Department of Finance and  
193 Administration the necessity for warrants, and the Department of





194 Finance and Administration is authorized and directed to issue  
195 such warrants, in such amounts as may be necessary to pay when due  
196 the principal of, premium, if any, and interest on, or the  
197 accreted value of, all bonds issued under this section; and the  
198 State Treasurer shall forward the necessary amount to the  
199 designated place or places of payment of such bonds in ample time  
200 to discharge such bonds, or the interest thereon, on the due dates  
201 thereof.

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

206 **SECTION 2.** This act shall take effect and be in force from  
207 and after July 1, 2022.

