

By: Senator(s) Harkins

To: Finance

SENATE BILL NO. 2841

1 AN ACT TO AMEND SECTION 57-75-15, MISSISSIPPI CODE OF 1972,
 2 WHICH SETS OUT THE POWERS AND DUTIES OF THE STATE BOND COMMISSION,
 3 TO EXTEND THE REVERTER ON THE PROVISION OF LAW GRANTING THE STATE
 4 BOND COMMISSION THE AUTHORITY TO DETERMINE THE APPROPRIATE METHOD
 5 FOR THE SALE OF BONDS, INCLUDING THE NEGOTIATION OF THE SALE OF
 6 BONDS AS AN ALTERNATIVE TO THE ISSUANCE AND SALE BONDS ON SEALED
 7 BIDS AT PUBLIC SALE; AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** Section 57-75-15, Mississippi Code of 1972, is
 10 amended as follows:

11 **[Through June 30, * * * 2026, this section shall read as**
 12 **follows:]**

13 57-75-15. (1) Upon notification to the authority by the
 14 enterprise that the state has been finally selected as the site
 15 for the project, the State Bond Commission shall have the power
 16 and is hereby authorized and directed, upon receipt of a
 17 declaration from the authority as hereinafter provided, to borrow
 18 money and issue general obligation bonds of the state in one or
 19 more series for the purposes herein set out. Upon such
 20 notification, the authority may thereafter, from time to time,



21 declare the necessity for the issuance of general obligation bonds
22 as authorized by this section and forward such declaration to the
23 State Bond Commission, provided that before such notification, the
24 authority may enter into agreements with the United States
25 government, private companies and others that will commit the
26 authority to direct the State Bond Commission to issue bonds for
27 eligible undertakings set out in subsection (4) of this section,
28 conditioned on the siting of the project in the state.

29 (2) Upon receipt of any such declaration from the authority,
30 the State Bond Commission shall verify that the state has been
31 selected as the site of the project and shall act as the issuing
32 agent for the series of bonds directed to be issued in such
33 declaration pursuant to authority granted in this section.

34 (3) (a) Bonds issued under the authority of this section
35 for projects as defined in Section 57-75-5(f) (i) shall not exceed
36 an aggregate principal amount in the sum of Sixty-seven Million
37 Three Hundred Fifty Thousand Dollars (\$67,350,000.00).

38 (b) Bonds issued under the authority of this section
39 for projects as defined in Section 57-75-5(f) (ii) shall not exceed
40 Seventy-seven Million Dollars (\$77,000,000.00). The authority,
41 with the express direction of the State Bond Commission, is
42 authorized to expend any remaining proceeds of bonds issued under
43 the authority of this act prior to January 1, 1998, for the
44 purpose of financing projects as then defined in Section
45 57-75-5(f) (ii) or for any other projects as defined in Section



46 57-75-5(f)(ii), as it may be amended from time to time. No bonds
47 shall be issued under this paragraph (b) until the State Bond
48 Commission by resolution adopts a finding that the issuance of
49 such bonds will improve, expand or otherwise enhance the military
50 installation, its support areas or military operations, or will
51 provide employment opportunities to replace those lost by closure
52 or reductions in operations at the military installation or will
53 support critical studies or investigations authorized by Section
54 57-75-5(f)(ii).

55 (c) Bonds issued under the authority of this section
56 for projects as defined in Section 57-75-5(f)(iii) shall not
57 exceed Ten Million Dollars (\$10,000,000.00). No bonds shall be
58 issued under this paragraph after December 31, 1996.

59 (d) Bonds issued under the authority of this section
60 for projects defined in Section 57-75-5(f)(iv) shall not exceed
61 Three Hundred Fifty-one Million Dollars (\$351,000,000.00). An
62 additional amount of bonds in an amount not to exceed Twelve
63 Million Five Hundred Thousand Dollars (\$12,500,000.00) may be
64 issued under the authority of this section for the purpose of
65 defraying costs associated with the construction of surface water
66 transmission lines for a project defined in Section 57-75-5(f)(iv)
67 or for any facility related to the project. No bonds shall be
68 issued under this paragraph after June 30, 2005.

69 (e) Bonds issued under the authority of this section
70 for projects defined in Section 57-75-5(f)(v) and for facilities



71 related to such projects shall not exceed Thirty-eight Million
72 Five Hundred Thousand Dollars (\$38,500,000.00). No bonds shall be
73 issued under this paragraph after April 1, 2005.

74 (f) Bonds issued under the authority of this section
75 for projects defined in Section 57-75-5(f)(vii) shall not exceed
76 Five Million Dollars (\$5,000,000.00). No bonds shall be issued
77 under this paragraph after June 30, 2006.

78 (g) Bonds issued under the authority of this section
79 for projects defined in Section 57-75-5(f)(viii) shall not exceed
80 Four Million Five Hundred Thousand Dollars (\$4,500,000.00). No
81 bonds shall be issued under this paragraph after June 30, 2008.

82 (h) Bonds issued under the authority of this section
83 for projects defined in Section 57-75-5(f)(ix) shall not exceed
84 Five Million Dollars (\$5,000,000.00). No bonds shall be issued
85 under this paragraph after June 30, 2007.

86 (i) Bonds issued under the authority of this section
87 for projects defined in Section 57-75-5(f)(x) shall not exceed
88 Five Million Dollars (\$5,000,000.00). No bonds shall be issued
89 under this paragraph after April 1, 2005.

90 (j) Bonds issued under the authority of this section
91 for projects defined in Section 57-75-5(f)(xii) shall not exceed
92 Thirty-three Million Dollars (\$33,000,000.00). The amount of
93 bonds that may be issued under this paragraph for projects defined
94 in Section 57-75-5(f)(xii) may be reduced by the amount of any
95 federal or local funds made available for such projects. No bonds



96 shall be issued under this paragraph until local governments in or
97 near the county in which the project is located have irrevocably
98 committed funds to the project in an amount of not less than Two
99 Million Five Hundred Thousand Dollars (\$2,500,000.00) in the
100 aggregate; however, this irrevocable commitment requirement may be
101 waived by the authority upon a finding that due to the unforeseen
102 circumstances created by Hurricane Katrina, the local governments
103 are unable to comply with such commitment. No bonds shall be
104 issued under this paragraph after June 30, 2008.

105 (k) Bonds issued under the authority of this section
106 for projects defined in Section 57-75-5(f)(xiii) shall not exceed
107 Three Million Dollars (\$3,000,000.00). No bonds shall be issued
108 under this paragraph after June 30, 2009.

109 (l) Bonds issued under the authority of this section
110 for projects defined in Section 57-75-5(f)(xiv) shall not exceed
111 Twenty-four Million Dollars (\$24,000,000.00). No bonds shall be
112 issued under this paragraph until local governments in the county
113 in which the project is located have irrevocably committed funds
114 to the project in an amount of not less than Two Million Dollars
115 (\$2,000,000.00). No bonds shall be issued under this paragraph
116 after June 30, 2009.

117 (m) Bonds issued under the authority of this section
118 for projects defined in Section 57-75-5(f)(xv) shall not exceed
119 Five Hundred Thousand Dollars (\$500,000.00). No bonds shall be
120 issued under this paragraph after June 30, 2009.



121 (n) Bonds issued under the authority of this section
122 for projects defined in Section 57-75-5(f) (xvi) shall not exceed
123 Ten Million Dollars (\$10,000,000.00). No bonds shall be issued
124 under this paragraph after June 30, 2011.

125 (o) Bonds issued under the authority of this section
126 for projects defined in Section 57-75-5(f) (xvii) shall not exceed
127 Three Million Five Hundred Thousand Dollars (\$3,500,000.00). No
128 bonds shall be issued under this paragraph after June 30, 2010.

129 (p) Bonds issued under the authority of this section
130 for projects defined in Section 57-75-5(f) (xviii) shall not exceed
131 Ninety-six Million Dollars (\$96,000,000.00). No bonds shall be
132 issued under this paragraph after June 30, 2011.

133 (q) Bonds issued under the authority of this section
134 for projects defined in Section 57-75-5(f) (xix) shall not exceed
135 Fifteen Million Dollars (\$15,000,000.00). No bonds shall be
136 issued under this paragraph after June 30, 2012.

137 (r) Bonds issued under the authority of this section
138 for projects defined in Section 57-75-5(f) (xx) shall not exceed
139 Twenty-three Million Dollars (\$23,000,000.00). No bonds shall be
140 issued under this paragraph after April 25, 2013.

141 (s) Bonds issued under the authority of this section
142 for projects defined in Section 57-75-5(f) (xxi) shall not exceed
143 Two Hundred Ninety-three Million Nine Hundred Thousand Dollars
144 (\$293,900,000.00). No bonds shall be issued under this paragraph
145 after July 1, 2020.



146 (t) Bonds issued under the authority of this section
147 for Tier One suppliers shall not exceed Thirty Million Dollars
148 (\$30,000,000.00). No bonds shall be issued under this paragraph
149 after July 1, 2020.

150 (u) Bonds issued under the authority of this section
151 for projects defined in Section 57-75-5(f) (xxii) shall not exceed
152 Forty-eight Million Four Hundred Thousand Dollars
153 (\$48,400,000.00). No bonds shall be issued under this paragraph
154 after July 1, 2020.

155 (v) Bonds issued under the authority of this section
156 for projects defined in Section 57-75-5(f) (xxiii) shall not exceed
157 Eighty-eight Million Two Hundred Fifty Thousand Dollars
158 (\$88,250,000.00). No bonds shall be issued under this paragraph
159 after July 1, 2009.

160 (w) Bonds issued under the authority of this section
161 for projects defined in Section 57-75-5(f) (xxiv) shall not exceed
162 Thirteen Million Dollars (\$13,000,000.00). No bonds shall be
163 issued under this paragraph after July 1, 2020.

164 (x) Bonds issued under the authority of this section
165 for projects defined in Section 57-75-5(f) (xxv) shall not exceed
166 Twenty-five Million Dollars (\$25,000,000.00). No bonds shall be
167 issued under this paragraph after July 1, 2017.

168 (y) Bonds issued under the authority of this section
169 for projects defined in Section 57-75-5(f) (xxvi) shall not exceed



170 Thirty-five Million One Hundred Thousand Dollars (\$35,100,000.00).

171 No bonds shall be issued under this paragraph after July 1, 2021.

172 (z) Bonds issued under the authority of this section
173 for projects defined in Section 57-75-5(f) (xxvii) shall not exceed
174 Fifty Million Dollars (\$50,000,000.00). No bonds shall be issued
175 under this paragraph after April 25, 2013.

176 (aa) Bonds issued under the authority of this section
177 for projects defined in Section 57-75-5(f) (xxviii) shall not
178 exceed One Hundred Thirty Million Dollars (\$130,000,000.00). No
179 bonds shall be issued under this paragraph after July 1, 2023.

180 (bb) Bonds issued under the authority of this section
181 for projects defined in Section 57-75-5(f) (xxix) shall not exceed
182 Two Hundred Sixty-three Million Dollars (\$263,000,000.00). No
183 bonds shall be issued under this paragraph after July 1, 2034.

184 (cc) Bonds issued under the authority of this section
185 for projects defined in Section 57-75-5(f) (xxx) shall not exceed
186 Eleven Million Dollars (\$11,000,000.00). No bonds shall be issued
187 under this paragraph after July 1, 2025.

188 (4) (a) The proceeds from the sale of the bonds issued
189 under this section may be applied for the following purposes:

190 (i) Defraying all or any designated portion of the
191 costs incurred with respect to acquisition, planning, design,
192 construction, installation, rehabilitation, improvement,
193 relocation and with respect to state-owned property, operation and
194 maintenance of the project and any facility related to the project



195 located within the project area, including costs of design and
196 engineering, all costs incurred to provide land, easements and
197 rights-of-way, relocation costs with respect to the project and
198 with respect to any facility related to the project located within
199 the project area, and costs associated with mitigation of
200 environmental impacts and environmental impact studies;

201 (ii) Defraying the cost of providing for the
202 recruitment, screening, selection, training or retraining of
203 employees, candidates for employment or replacement employees of
204 the project and any related activity;

205 (iii) Reimbursing the Mississippi Development
206 Authority for expenses it incurred in regard to projects defined
207 in Section 57-75-5(f)(iv) prior to November 6, 2000. The
208 Mississippi Development Authority shall submit an itemized list of
209 expenses it incurred in regard to such projects to the Chairmen of
210 the Finance and Appropriations Committees of the Senate and the
211 Chairmen of the Ways and Means and Appropriations Committees of
212 the House of Representatives;

213 (iv) Providing grants to enterprises operating
214 projects defined in Section 57-75-5(f)(iv)1;

215 (v) Paying any warranty made by the authority
216 regarding site work for a project defined in Section
217 57-75-5(f)(iv)1;

218 (vi) Defraying the cost of marketing and promotion
219 of a project as defined in Section 57-75-5(f)(iv)1, Section



220 57-75-5(f) (xxi) or Section 57-75-5(f) (xxii). The authority shall
221 submit an itemized list of costs incurred for marketing and
222 promotion of such project to the Chairmen of the Finance and
223 Appropriations Committees of the Senate and the Chairmen of the
224 Ways and Means and Appropriations Committees of the House of
225 Representatives;

226 (vii) Providing for the payment of interest on the
227 bonds;

228 (viii) Providing debt service reserves;

229 (ix) Paying underwriters' discount, original issue
230 discount, accountants' fees, engineers' fees, attorneys' fees,
231 rating agency fees and other fees and expenses in connection with
232 the issuance of the bonds;

233 (x) For purposes authorized in paragraphs

234 (b) * * * and (c) * * * of this subsection (4);

235 (xi) Providing grants to enterprises operating
236 projects defined in Section 57-75-5(f) (v), or, in connection with
237 a facility related to such a project, for any purposes deemed by
238 the authority in its sole discretion to be necessary and
239 appropriate;

240 (xii) Providing grant funds or loans to a public
241 agency or an enterprise owning, leasing or operating a project
242 defined in Section 57-75-5(f) (ii);



243 (xiii) Providing grant funds or loans to an
244 enterprise owning, leasing or operating a project defined in
245 Section 57-75-5(f) (xiv);

246 (xiv) Providing grants, loans and payments to or
247 for the benefit of an enterprise owning or operating a project
248 defined in Section 57-75-5(f) (xviii);

249 (xv) Purchasing equipment for a project defined in
250 Section 57-75-5(f) (viii) subject to such terms and conditions as
251 the authority considers necessary and appropriate;

252 (xvi) Providing grant funds to an enterprise
253 developing or owning a project defined in Section 57-75-5(f) (xx);

254 (xvii) Providing grants and loans for projects as
255 authorized in Section 57-75-11(kk), (ll), (mm), (uu), (vv) or, in
256 connection with a facility related to such a project, for any
257 purposes deemed by the authority in its sole discretion to be
258 necessary and appropriate;

259 (xviii) Providing grants for projects as
260 authorized in Section 57-75-11(pp) for any purposes deemed by the
261 authority in its sole discretion to be necessary and appropriate;

262 (xix) Providing grants and loans for projects as
263 authorized in Section 57-75-11(qq);

264 (xx) Providing grants for projects as authorized
265 in Section 57-75-11(rr);

266 (xxi) Providing grants, loans and payments as
267 authorized in Section 57-75-11(ss);



268 (xxii) Providing grants and loans as authorized in
269 Section 57-75-11(tt); and

270 (xxiii) Providing grants as authorized in Section
271 57-75-11(ww) for any purposes deemed by the authority in its sole
272 discretion to be necessary and appropriate.

273 Such bonds shall be issued, from time to time, and in such
274 principal amounts as shall be designated by the authority, not to
275 exceed in aggregate principal amounts the amount authorized in
276 subsection (3) of this section. Proceeds from the sale of the
277 bonds issued under this section may be invested, subject to
278 federal limitations, pending their use, in such securities as may
279 be specified in the resolution authorizing the issuance of the
280 bonds or the trust indenture securing them, and the earning on
281 such investment applied as provided in such resolution or trust
282 indenture.

283 (b) (i) The proceeds of bonds issued after June 21,
284 2002, under this section for projects described in Section
285 57-75-5(f) (iv) may be used to reimburse reasonable actual and
286 necessary costs incurred by the Mississippi Development Authority
287 in providing assistance related to a project for which funding is
288 provided from the use of proceeds of such bonds. The Mississippi
289 Development Authority shall maintain an accounting of actual costs
290 incurred for each project for which reimbursements are sought.
291 Reimbursements under this paragraph (b) (i) shall not exceed Three
292 Hundred Thousand Dollars (\$300,000.00) in the aggregate.



293 Reimbursements under this paragraph (b) (i) shall satisfy any
294 applicable federal tax law requirements.

295 (ii) The proceeds of bonds issued after June 21,
296 2002, under this section for projects described in Section
297 57-75-5(f) (iv) may be used to reimburse reasonable actual and
298 necessary costs incurred by the Department of Audit in providing
299 services related to a project for which funding is provided from
300 the use of proceeds of such bonds. The Department of Audit shall
301 maintain an accounting of actual costs incurred for each project
302 for which reimbursements are sought. The Department of Audit may
303 escalate its budget and expend such funds in accordance with rules
304 and regulations of the Department of Finance and Administration in
305 a manner consistent with the escalation of federal funds.

306 Reimbursements under this paragraph (b) (ii) shall not exceed One
307 Hundred Thousand Dollars (\$100,000.00) in the aggregate.

308 Reimbursements under this paragraph (b) (ii) shall satisfy any
309 applicable federal tax law requirements.

310 (c) (i) Except as otherwise provided in this
311 subsection, the proceeds of bonds issued under this section for a
312 project described in Section 57-75-5(f) may be used to reimburse
313 reasonable actual and necessary costs incurred by the Mississippi
314 Development Authority in providing assistance related to the
315 project for which funding is provided for the use of proceeds of
316 such bonds. The Mississippi Development Authority shall maintain
317 an accounting of actual costs incurred for each project for which



318 reimbursements are sought. Reimbursements under this paragraph
319 shall not exceed Twenty-five Thousand Dollars (\$25,000.00) for
320 each project.

321 (ii) Except as otherwise provided in this
322 subsection, the proceeds of bonds issued under this section for a
323 project described in Section 57-75-5(f) may be used to reimburse
324 reasonable actual and necessary costs incurred by the Department
325 of Audit in providing services related to the project for which
326 funding is provided from the use of proceeds of such bonds. The
327 Department of Audit shall maintain an accounting of actual costs
328 incurred for each project for which reimbursements are sought.
329 The Department of Audit may escalate its budget and expend such
330 funds in accordance with rules and regulations of the Department
331 of Finance and Administration in a manner consistent with the
332 escalation of federal funds. Reimbursements under this paragraph
333 shall not exceed Twenty-five Thousand Dollars (\$25,000.00) for
334 each project. Reimbursements under this paragraph shall satisfy
335 any applicable federal tax law requirements.

336 (5) The principal of and the interest on the bonds shall be
337 payable in the manner hereinafter set forth. The bonds shall bear
338 date or dates; be in such denomination or denominations; bear
339 interest at such rate or rates; be payable at such place or places
340 within or without the state; mature absolutely at such time or
341 times; be redeemable before maturity at such time or times and
342 upon such terms, with or without premium; bear such registration



343 privileges; and be substantially in such form; all as shall be
344 determined by resolution of the State Bond Commission except that
345 such bonds shall mature or otherwise be retired in annual
346 installments beginning not more than five (5) years from the date
347 thereof and extending not more than twenty-five (25) years from
348 the date thereof. The bonds shall be signed by the Chairman of
349 the State Bond Commission, or by his facsimile signature, and the
350 official seal of the State Bond Commission shall be imprinted on
351 or affixed thereto, attested by the manual or facsimile signature
352 of the Secretary of the State Bond Commission. Whenever any such
353 bonds have been signed by the officials herein designated to sign
354 the bonds, who were in office at the time of such signing but who
355 may have ceased to be such officers before the sale and delivery
356 of such bonds, or who may not have been in office on the date such
357 bonds may bear, the signatures of such officers upon such bonds
358 shall nevertheless be valid and sufficient for all purposes and
359 have the same effect as if the person so officially signing such
360 bonds had remained in office until the delivery of the same to the
361 purchaser, or had been in office on the date such bonds may bear.

362 (6) All bonds issued under the provisions of this section
363 shall be and are hereby declared to have all the qualities and
364 incidents of negotiable instruments under the provisions of the
365 Uniform Commercial Code and in exercising the powers granted by
366 this chapter, the State Bond Commission shall not be required to



367 and need not comply with the provisions of the Uniform Commercial
368 Code.

369 (7) The State Bond Commission shall act as issuing agent for
370 the bonds, prescribe the form of the bonds, determine the
371 appropriate method for sale of the bonds, advertise for and accept
372 bids or negotiate the sale of the bonds, issue and sell the bonds,
373 pay all fees and costs incurred in such issuance and sale, and do
374 any and all other things necessary and advisable in connection
375 with the issuance and sale of the bonds. The State Bond
376 Commission may sell such bonds on sealed bids at public sale or
377 may negotiate the sale of the bonds for such price as it may
378 determine to be for the best interest of the State of Mississippi.
379 The bonds shall bear interest at such rate or rates not exceeding
380 the limits set forth in Section 75-17-101 as shall be fixed by the
381 State Bond Commission. All interest accruing on such bonds so
382 issued shall be payable semiannually or annually.

383 If the bonds are to be sold on sealed bids at public sale,
384 notice of the sale of any bonds shall be published at least one
385 time, the first of which shall be made not less than ten (10) days
386 prior to the date of sale, and shall be so published in one or
387 more newspapers having a general circulation in the City of
388 Jackson, Mississippi, selected by the State Bond Commission.

389 The State Bond Commission, when issuing any bonds under the
390 authority of this section, may provide that the bonds, at the
391 option of the state, may be called in for payment and redemption



392 at the call price named therein and accrued interest on such date
393 or dates named therein.

394 (8) State bonds issued under the provisions of this section
395 shall be the general obligations of the state and backed by the
396 full faith and credit of the state. The Legislature shall
397 appropriate annually an amount sufficient to pay the principal of
398 and the interest on such bonds as they become due. All bonds
399 shall contain recitals on their faces substantially covering the
400 foregoing provisions of this section.

401 (9) The State Treasurer is authorized to certify to the
402 Department of Finance and Administration the necessity for
403 warrants, and the Department of Finance and Administration is
404 authorized and directed to issue such warrants payable out of any
405 funds appropriated by the Legislature under this section for such
406 purpose, in such amounts as may be necessary to pay when due the
407 principal of and interest on all bonds issued under the provisions
408 of this section. The State Treasurer shall forward the necessary
409 amount to the designated place or places of payment of such bonds
410 in ample time to discharge such bonds, or the interest thereon, on
411 the due dates thereof.

412 (10) The bonds may be issued without any other proceedings
413 or the happening of any other conditions or things other than
414 those proceedings, conditions and things which are specified or
415 required by this chapter. Any resolution providing for the
416 issuance of general obligation bonds under the provisions of this



417 section shall become effective immediately upon its adoption by
418 the State Bond Commission, and any such resolution may be adopted
419 at any regular or special meeting of the State Bond Commission by
420 a majority of its members.

421 (11) In anticipation of the issuance of bonds hereunder, the
422 State Bond Commission is authorized to negotiate and enter into
423 any purchase, loan, credit or other agreement with any bank, trust
424 company or other lending institution or to issue and sell interim
425 notes for the purpose of making any payments authorized under this
426 section. All borrowings made under this provision shall be
427 evidenced by notes of the state which shall be issued from time to
428 time, for such amounts not exceeding the amount of bonds
429 authorized herein, in such form and in such denomination and
430 subject to such terms and conditions of sale and issuance,
431 prepayment or redemption and maturity, rate or rates of interest
432 not to exceed the maximum rate authorized herein for bonds, and
433 time of payment of interest as the State Bond Commission shall
434 agree to in such agreement. Such notes shall constitute general
435 obligations of the state and shall be backed by the full faith and
436 credit of the state. Such notes may also be issued for the
437 purpose of refunding previously issued notes. No note shall
438 mature more than three (3) years following the date of its
439 issuance. The State Bond Commission is authorized to provide for
440 the compensation of any purchaser of the notes by payment of a
441 fixed fee or commission and for all other costs and expenses of



442 issuance and service, including paying agent costs. Such costs
443 and expenses may be paid from the proceeds of the notes.

444 (12) The bonds and interim notes authorized under the
445 authority of this section may be validated in the Chancery Court
446 of the First Judicial District of Hinds County, Mississippi, in
447 the manner and with the force and effect provided now or hereafter
448 by Chapter 13, Title 31, Mississippi Code of 1972, for the
449 validation of county, municipal, school district and other bonds.
450 The necessary papers for such validation proceedings shall be
451 transmitted to the State Bond Attorney, and the required notice
452 shall be published in a newspaper published in the City of
453 Jackson, Mississippi.

454 (13) Any bonds or interim notes issued under the provisions
455 of this chapter, a transaction relating to the sale or securing of
456 such bonds or interim notes, their transfer and the income
457 therefrom shall at all times be free from taxation by the state or
458 any local unit or political subdivision or other instrumentality
459 of the state, excepting inheritance and gift taxes.

460 (14) All bonds issued under this chapter shall be legal
461 investments for trustees, other fiduciaries, savings banks, trust
462 companies and insurance companies organized under the laws of the
463 State of Mississippi; and such bonds shall be legal securities
464 which may be deposited with and shall be received by all public
465 officers and bodies of the state and all municipalities and other



466 political subdivisions thereof for the purpose of securing the
467 deposit of public funds.

468 (15) The Attorney General of the State of Mississippi shall
469 represent the State Bond Commission in issuing, selling and
470 validating bonds herein provided for, and the Bond Commission is
471 hereby authorized and empowered to expend from the proceeds
472 derived from the sale of the bonds authorized hereunder all
473 necessary administrative, legal and other expenses incidental and
474 related to the issuance of bonds authorized under this chapter.

475 (16) There is hereby created a special fund in the State
476 Treasury to be known as the Mississippi Major Economic Impact
477 Authority Fund wherein shall be deposited the proceeds of the
478 bonds issued under this chapter and all monies received by the
479 authority to carry out the purposes of this chapter. Expenditures
480 authorized herein shall be paid by the State Treasurer upon
481 warrants drawn from the fund, and the Department of Finance and
482 Administration shall issue warrants upon requisitions signed by
483 the director of the authority.

484 (17) (a) There is hereby created the Mississippi Economic
485 Impact Authority Sinking Fund from which the principal of and
486 interest on such bonds shall be paid by appropriation. All monies
487 paid into the sinking fund not appropriated to pay accruing bonds
488 and interest shall be invested by the State Treasurer in such
489 securities as are provided by law for the investment of the
490 sinking funds of the state.



491 (b) In the event that all or any part of the bonds and
492 notes are purchased, they shall be cancelled and returned to the
493 loan and transfer agent as cancelled and paid bonds and notes and
494 thereafter all payments of interest thereon shall cease and the
495 cancelled bonds, notes and coupons, together with any other
496 cancelled bonds, notes and coupons, shall be destroyed as promptly
497 as possible after cancellation but not later than two (2) years
498 after cancellation. A certificate evidencing the destruction of
499 the cancelled bonds, notes and coupons shall be provided by the
500 loan and transfer agent to the seller.

501 (c) The State Treasurer shall determine and report to
502 the Department of Finance and Administration and Legislative
503 Budget Office by September 1 of each year the amount of money
504 necessary for the payment of the principal of and interest on
505 outstanding obligations for the following fiscal year and the
506 times and amounts of the payments. It shall be the duty of the
507 Governor to include in every executive budget submitted to the
508 Legislature full information relating to the issuance of bonds and
509 notes under the provisions of this chapter and the status of the
510 sinking fund for the payment of the principal of and interest on
511 the bonds and notes.

512 (d) Any monies repaid to the state from loans
513 authorized in Section 57-75-11(hh) shall be deposited into the
514 Mississippi Major Economic Impact Authority Sinking Fund unless
515 the State Bond Commission, at the request of the authority, shall



516 determine that such loan repayments are needed to provide
517 additional loans as authorized under Section 57-75-11(hh). For
518 purposes of providing additional loans, there is hereby created
519 the Mississippi Major Economic Impact Authority Revolving Loan
520 Fund and loan repayments shall be deposited into the fund. The
521 fund shall be maintained for such period as determined by the
522 State Bond Commission for the sole purpose of making additional
523 loans as authorized by Section 57-75-11(hh). Unexpended amounts
524 remaining in the fund at the end of a fiscal year shall not lapse
525 into the State General Fund and any interest earned on amounts in
526 such fund shall be deposited to the credit of the fund.

527 (e) Any monies repaid to the state from loans
528 authorized in Section 57-75-11(ii) shall be deposited into the
529 Mississippi Major Economic Impact Authority Sinking Fund.

530 (f) Any monies repaid to the state from loans
531 authorized in Section 57-75-11(jj) or Section 57-75-11(vv) shall
532 be deposited into the Mississippi Major Economic Impact Authority
533 Sinking Fund.

534 (18) (a) Upon receipt of a declaration by the authority
535 that it has determined that the state is a potential site for a
536 project, the State Bond Commission is authorized and directed to
537 authorize the State Treasurer to borrow money from any special
538 fund in the State Treasury not otherwise appropriated to be
539 utilized by the authority for the purposes provided for in this
540 subsection.



541 (b) The proceeds of the money borrowed under this
542 subsection may be utilized by the authority for the purpose of
543 defraying all or a portion of the costs incurred by the authority
544 with respect to acquisition options and planning, design and
545 environmental impact studies with respect to a project defined in
546 Section 57-75-5(f)(xi) or Section 57-75-5(f)(xxix). The authority
547 may escalate its budget and expend the proceeds of the money
548 borrowed under this subsection in accordance with rules and
549 regulations of the Department of Finance and Administration in a
550 manner consistent with the escalation of federal funds.

551 (c) The authority shall request an appropriation or
552 additional authority to issue general obligation bonds to repay
553 the borrowed funds and establish a date for the repayment of the
554 funds so borrowed.

555 (d) Borrowings made under the provisions of this
556 subsection shall not exceed Five Hundred Thousand Dollars
557 (\$500,000.00) at any one time.

558 **[From and after July 1, * * * 2026, this section shall read**
559 **as follows:]**

560 57-75-15. (1) Upon notification to the authority by the
561 enterprise that the state has been finally selected as the site
562 for the project, the State Bond Commission shall have the power
563 and is hereby authorized and directed, upon receipt of a
564 declaration from the authority as hereinafter provided, to borrow
565 money and issue general obligation bonds of the state in one or



566 more series for the purposes herein set out. Upon such
567 notification, the authority may thereafter, from time to time,
568 declare the necessity for the issuance of general obligation bonds
569 as authorized by this section and forward such declaration to the
570 State Bond Commission, provided that before such notification, the
571 authority may enter into agreements with the United States
572 government, private companies and others that will commit the
573 authority to direct the State Bond Commission to issue bonds for
574 eligible undertakings set out in subsection (4) of this section,
575 conditioned on the siting of the project in the state.

576 (2) Upon receipt of any such declaration from the authority,
577 the State Bond Commission shall verify that the state has been
578 selected as the site of the project and shall act as the issuing
579 agent for the series of bonds directed to be issued in such
580 declaration pursuant to authority granted in this section.

581 (3) (a) Bonds issued under the authority of this section
582 for projects as defined in Section 57-75-5(f)(i) shall not exceed
583 an aggregate principal amount in the sum of Sixty-seven Million
584 Three Hundred Fifty Thousand Dollars (\$67,350,000.00).

585 (b) Bonds issued under the authority of this section
586 for projects as defined in Section 57-75-5(f)(ii) shall not exceed
587 Seventy-seven Million Dollars (\$77,000,000.00). The authority,
588 with the express direction of the State Bond Commission, is
589 authorized to expend any remaining proceeds of bonds issued under
590 the authority of this act prior to January 1, 1998, for the



591 purpose of financing projects as then defined in Section
592 57-75-5(f)(ii) or for any other projects as defined in Section
593 57-75-5(f)(ii), as it may be amended from time to time. No bonds
594 shall be issued under this paragraph (b) until the State Bond
595 Commission by resolution adopts a finding that the issuance of
596 such bonds will improve, expand or otherwise enhance the military
597 installation, its support areas or military operations, or will
598 provide employment opportunities to replace those lost by closure
599 or reductions in operations at the military installation or will
600 support critical studies or investigations authorized by Section
601 57-75-5(f)(ii).

602 (c) Bonds issued under the authority of this section
603 for projects as defined in Section 57-75-5(f)(iii) shall not
604 exceed Ten Million Dollars (\$10,000,000.00). No bonds shall be
605 issued under this paragraph after December 31, 1996.

606 (d) Bonds issued under the authority of this section
607 for projects defined in Section 57-75-5(f)(iv) shall not exceed
608 Three Hundred Fifty-one Million Dollars (\$351,000,000.00). An
609 additional amount of bonds in an amount not to exceed Twelve
610 Million Five Hundred Thousand Dollars (\$12,500,000.00) may be
611 issued under the authority of this section for the purpose of
612 defraying costs associated with the construction of surface water
613 transmission lines for a project defined in Section 57-75-5(f)(iv)
614 or for any facility related to the project. No bonds shall be
615 issued under this paragraph after June 30, 2005.



616 (e) Bonds issued under the authority of this section
617 for projects defined in Section 57-75-5(f)(v) and for facilities
618 related to such projects shall not exceed Thirty-eight Million
619 Five Hundred Thousand Dollars (\$38,500,000.00). No bonds shall be
620 issued under this paragraph after April 1, 2005.

621 (f) Bonds issued under the authority of this section
622 for projects defined in Section 57-75-5(f)(vii) shall not exceed
623 Five Million Dollars (\$5,000,000.00). No bonds shall be issued
624 under this paragraph after June 30, 2006.

625 (g) Bonds issued under the authority of this section
626 for projects defined in Section 57-75-5(f)(viii) shall not exceed
627 Four Million Five Hundred Thousand Dollars (\$4,500,000.00). No
628 bonds shall be issued under this paragraph after June 30, 2008.

629 (h) Bonds issued under the authority of this section
630 for projects defined in Section 57-75-5(f)(ix) shall not exceed
631 Five Million Dollars (\$5,000,000.00). No bonds shall be issued
632 under this paragraph after June 30, 2007.

633 (i) Bonds issued under the authority of this section
634 for projects defined in Section 57-75-5(f)(x) shall not exceed
635 Five Million Dollars (\$5,000,000.00). No bonds shall be issued
636 under this paragraph after April 1, 2005.

637 (j) Bonds issued under the authority of this section
638 for projects defined in Section 57-75-5(f)(xii) shall not exceed
639 Thirty-three Million Dollars (\$33,000,000.00). The amount of
640 bonds that may be issued under this paragraph for projects defined



641 in Section 57-75-5(f) (xii) may be reduced by the amount of any
642 federal or local funds made available for such projects. No bonds
643 shall be issued under this paragraph until local governments in or
644 near the county in which the project is located have irrevocably
645 committed funds to the project in an amount of not less than Two
646 Million Five Hundred Thousand Dollars (\$2,500,000.00) in the
647 aggregate; however, this irrevocable commitment requirement may be
648 waived by the authority upon a finding that due to the unforeseen
649 circumstances created by Hurricane Katrina, the local governments
650 are unable to comply with such commitment. No bonds shall be
651 issued under this paragraph after June 30, 2008.

652 (k) Bonds issued under the authority of this section
653 for projects defined in Section 57-75-5(f) (xiii) shall not exceed
654 Three Million Dollars (\$3,000,000.00). No bonds shall be issued
655 under this paragraph after June 30, 2009.

656 (l) Bonds issued under the authority of this section
657 for projects defined in Section 57-75-5(f) (xiv) shall not exceed
658 Twenty-four Million Dollars (\$24,000,000.00). No bonds shall be
659 issued under this paragraph until local governments in the county
660 in which the project is located have irrevocably committed funds
661 to the project in an amount of not less than Two Million Dollars
662 (\$2,000,000.00). No bonds shall be issued under this paragraph
663 after June 30, 2009.

664 (m) Bonds issued under the authority of this section
665 for projects defined in Section 57-75-5(f) (xv) shall not exceed



666 Five Hundred Thousand Dollars (\$500,000.00). No bonds shall be
667 issued under this paragraph after June 30, 2009.

668 (n) Bonds issued under the authority of this section
669 for projects defined in Section 57-75-5(f) (xvi) shall not exceed
670 Ten Million Dollars (\$10,000,000.00). No bonds shall be issued
671 under this paragraph after June 30, 2011.

672 (o) Bonds issued under the authority of this section
673 for projects defined in Section 57-75-5(f) (xvii) shall not exceed
674 Three Million Five Hundred Thousand Dollars (\$3,500,000.00). No
675 bonds shall be issued under this paragraph after June 30, 2010.

676 (p) Bonds issued under the authority of this section
677 for projects defined in Section 57-75-5(f) (xviii) shall not exceed
678 Ninety-six Million Dollars (\$96,000,000.00). No bonds shall be
679 issued under this paragraph after June 30, 2016.

680 (q) Bonds issued under the authority of this section
681 for projects defined in Section 57-75-5(f) (xix) shall not exceed
682 Fifteen Million Dollars (\$15,000,000.00). No bonds shall be
683 issued under this paragraph after June 30, 2012.

684 (r) Bonds issued under the authority of this section
685 for projects defined in Section 57-75-5(f) (xx) shall not exceed
686 Twenty-three Million Dollars (\$23,000,000.00). No bonds shall be
687 issued under this paragraph after April 25, 2013.

688 (s) Bonds issued under the authority of this section
689 for projects defined in Section 57-75-5(f) (xxi) shall not exceed
690 Two Hundred Ninety-three Million Nine Hundred Thousand Dollars



691 (\$293,900,000.00). No bonds shall be issued under this paragraph
692 after July 1, 2020.

693 (t) Bonds issued under the authority of this section
694 for Tier One suppliers shall not exceed Thirty Million Dollars
695 (\$30,000,000.00). No bonds shall be issued under this paragraph
696 after July 1, 2020.

697 (u) Bonds issued under the authority of this section
698 for projects defined in Section 57-75-5(f)(xxii) shall not exceed
699 Forty-eight Million Four Hundred Thousand Dollars
700 (\$48,400,000.00). No bonds shall be issued under this paragraph
701 after July 1, 2020.

702 (v) Bonds issued under the authority of this section
703 for projects defined in Section 57-75-5(f)(xxiii) shall not exceed
704 Eighty-eight Million Two Hundred Fifty Thousand Dollars
705 (\$88,250,000.00). No bonds shall be issued under this paragraph
706 after July 1, 2009.

707 (w) Bonds issued under the authority of this section
708 for projects defined in Section 57-75-5(f)(xxiv) shall not exceed
709 Thirteen Million Dollars (\$13,000,000.00). No bonds shall be
710 issued under this paragraph after July 1, 2020.

711 (x) Bonds issued under the authority of this section
712 for projects defined in Section 57-75-5(f)(xxv) shall not exceed
713 Twenty-five Million Dollars (\$25,000,000.00). No bonds shall be
714 issued under this paragraph after July 1, 2017.



715 (y) Bonds issued under the authority of this section
716 for projects defined in Section 57-75-5(f) (xxvi) shall not exceed
717 Thirty-five Million One Hundred Thousand Dollars (\$35,100,000.00).
718 No bonds shall be issued under this paragraph after July 1, 2021.

719 (z) Bonds issued under the authority of this section
720 for projects defined in Section 57-75-5(f) (xxvii) shall not exceed
721 Fifty Million Dollars (\$50,000,000.00). No bonds shall be issued
722 under this paragraph after April 25, 2013.

723 (aa) Bonds issued under the authority of this section
724 for projects defined in Section 57-75-5(f) (xxviii) shall not
725 exceed One Hundred Thirty Million Dollars (\$130,000,000.00). No
726 bonds shall be issued under this paragraph after July 1, 2023.

727 (bb) Bonds issued under the authority of this section
728 for projects defined in Section 57-75-5(f) (xxix) shall not exceed
729 Two Hundred Sixty-three Million Dollars (\$263,000,000.00). No
730 bonds shall be issued under this paragraph after July 1, 2034.

731 (cc) Bonds issued under the authority of this section
732 for projects defined in Section 57-75-5(f) (xxx) shall not exceed
733 Eleven Million Dollars (\$11,000,000.00). No bonds shall be issued
734 under this paragraph after July 1, 2025.

735 (4) (a) The proceeds from the sale of the bonds issued
736 under this section may be applied for the following purposes:

737 (i) Defraying all or any designated portion of the
738 costs incurred with respect to acquisition, planning, design,
739 construction, installation, rehabilitation, improvement,



740 relocation and with respect to state-owned property, operation and
741 maintenance of the project and any facility related to the project
742 located within the project area, including costs of design and
743 engineering, all costs incurred to provide land, easements and
744 rights-of-way, relocation costs with respect to the project and
745 with respect to any facility related to the project located within
746 the project area, and costs associated with mitigation of
747 environmental impacts and environmental impact studies;

748 (ii) Defraying the cost of providing for the
749 recruitment, screening, selection, training or retraining of
750 employees, candidates for employment or replacement employees of
751 the project and any related activity;

752 (iii) Reimbursing the Mississippi Development
753 Authority for expenses it incurred in regard to projects defined
754 in Section 57-75-5(f)(iv) prior to November 6, 2000. The
755 Mississippi Development Authority shall submit an itemized list of
756 expenses it incurred in regard to such projects to the Chairmen of
757 the Finance and Appropriations Committees of the Senate and the
758 Chairmen of the Ways and Means and Appropriations Committees of
759 the House of Representatives;

760 (iv) Providing grants to enterprises operating
761 projects defined in Section 57-75-5(f)(iv)1;

762 (v) Paying any warranty made by the authority
763 regarding site work for a project defined in Section
764 57-75-5(f)(iv)1;



765 (vi) Defraying the cost of marketing and promotion
766 of a project as defined in Section 57-75-5(f)(iv)1, Section
767 57-75-5(f)(xxi) or Section 57-75-5(f)(xxii). The authority shall
768 submit an itemized list of costs incurred for marketing and
769 promotion of such project to the Chairmen of the Finance and
770 Appropriations Committees of the Senate and the Chairmen of the
771 Ways and Means and Appropriations Committees of the House of
772 Representatives;

773 (vii) Providing for the payment of interest on the
774 bonds;

775 (viii) Providing debt service reserves;

776 (ix) Paying underwriters' discount, original issue
777 discount, accountants' fees, engineers' fees, attorneys' fees,
778 rating agency fees and other fees and expenses in connection with
779 the issuance of the bonds;

780 (x) For purposes authorized in paragraphs

781 (b) * * * and (c) * * * of this subsection (4);

782 (xi) Providing grants to enterprises operating
783 projects defined in Section 57-75-5(f)(v), or, in connection with
784 a facility related to such a project, for any purposes deemed by
785 the authority in its sole discretion to be necessary and
786 appropriate;

787 (xii) Providing grant funds or loans to a public
788 agency or an enterprise owning, leasing or operating a project
789 defined in Section 57-75-5(f)(ii);



790 (xiii) Providing grant funds or loans to an
791 enterprise owning, leasing or operating a project defined in
792 Section 57-75-5(f) (xiv);

793 (xiv) Providing grants, loans and payments to or
794 for the benefit of an enterprise owning or operating a project
795 defined in Section 57-75-5(f) (xviii);

796 (xv) Purchasing equipment for a project defined in
797 Section 57-75-5(f) (viii) subject to such terms and conditions as
798 the authority considers necessary and appropriate;

799 (xvi) Providing grant funds to an enterprise
800 developing or owning a project defined in Section 57-75-5(f) (xx);

801 (xvii) Providing grants and loans for projects as
802 authorized in Section 57-75-11(kk), (ll), (mm), (uu), (vv) or, in
803 connection with a facility related to such a project, for any
804 purposes deemed by the authority in its sole discretion to be
805 necessary and appropriate;

806 (xviii) Providing grants for projects as
807 authorized in Section 57-75-11(pp) for any purposes deemed by the
808 authority in its sole discretion to be necessary and appropriate;

809 (xix) Providing grants and loans for projects as
810 authorized in Section 57-75-11(qq);

811 (xx) Providing grants for projects as authorized
812 in Section 57-75-11(rr);

813 (xxi) Providing grants, loans and payments as
814 authorized in Section 57-75-11(ss);



815 (xxii) Providing loans as authorized in Section
816 57-75-11(tt); and

817 (xxiii) Providing grants as authorized in Section
818 57-75-11(wv) for any purposes deemed by the authority in its sole
819 discretion to be necessary and appropriate.

820 Such bonds shall be issued, from time to time, and in such
821 principal amounts as shall be designated by the authority, not to
822 exceed in aggregate principal amounts the amount authorized in
823 subsection (3) of this section. Proceeds from the sale of the
824 bonds issued under this section may be invested, subject to
825 federal limitations, pending their use, in such securities as may
826 be specified in the resolution authorizing the issuance of the
827 bonds or the trust indenture securing them, and the earning on
828 such investment applied as provided in such resolution or trust
829 indenture.

830 (b) (i) The proceeds of bonds issued after June 21,
831 2002, under this section for projects described in Section
832 57-75-5(f) (iv) may be used to reimburse reasonable actual and
833 necessary costs incurred by the Mississippi Development Authority
834 in providing assistance related to a project for which funding is
835 provided from the use of proceeds of such bonds. The Mississippi
836 Development Authority shall maintain an accounting of actual costs
837 incurred for each project for which reimbursements are sought.
838 Reimbursements under this paragraph (b) (i) shall not exceed Three
839 Hundred Thousand Dollars (\$300,000.00) in the aggregate.



840 Reimbursements under this paragraph (b) (i) shall satisfy any
841 applicable federal tax law requirements.

842 (ii) The proceeds of bonds issued after June 21,
843 2002, under this section for projects described in Section
844 57-75-5(f) (iv) may be used to reimburse reasonable actual and
845 necessary costs incurred by the Department of Audit in providing
846 services related to a project for which funding is provided from
847 the use of proceeds of such bonds. The Department of Audit shall
848 maintain an accounting of actual costs incurred for each project
849 for which reimbursements are sought. The Department of Audit may
850 escalate its budget and expend such funds in accordance with rules
851 and regulations of the Department of Finance and Administration in
852 a manner consistent with the escalation of federal funds.

853 Reimbursements under this paragraph (b) (ii) shall not exceed One
854 Hundred Thousand Dollars (\$100,000.00) in the aggregate.

855 Reimbursements under this paragraph (b) (ii) shall satisfy any
856 applicable federal tax law requirements.

857 (c) (i) Except as otherwise provided in this
858 subsection, the proceeds of bonds issued under this section for a
859 project described in Section 57-75-5(f) may be used to reimburse
860 reasonable actual and necessary costs incurred by the Mississippi
861 Development Authority in providing assistance related to the
862 project for which funding is provided for the use of proceeds of
863 such bonds. The Mississippi Development Authority shall maintain
864 an accounting of actual costs incurred for each project for which



865 reimbursements are sought. Reimbursements under this paragraph
866 shall not exceed Twenty-five Thousand Dollars (\$25,000.00) for
867 each project.

868 (ii) Except as otherwise provided in this
869 subsection, the proceeds of bonds issued under this section for a
870 project described in Section 57-75-5(f) may be used to reimburse
871 reasonable actual and necessary costs incurred by the Department
872 of Audit in providing services related to the project for which
873 funding is provided from the use of proceeds of such bonds. The
874 Department of Audit shall maintain an accounting of actual costs
875 incurred for each project for which reimbursements are sought.
876 The Department of Audit may escalate its budget and expend such
877 funds in accordance with rules and regulations of the Department
878 of Finance and Administration in a manner consistent with the
879 escalation of federal funds. Reimbursements under this paragraph
880 shall not exceed Twenty-five Thousand Dollars (\$25,000.00) for
881 each project. Reimbursements under this paragraph shall satisfy
882 any applicable federal tax law requirements.

883 (5) The principal of and the interest on the bonds shall be
884 payable in the manner hereinafter set forth. The bonds shall bear
885 date or dates; be in such denomination or denominations; bear
886 interest at such rate or rates; be payable at such place or places
887 within or without the state; mature absolutely at such time or
888 times; be redeemable before maturity at such time or times and
889 upon such terms, with or without premium; bear such registration



890 privileges; and be substantially in such form; all as shall be
891 determined by resolution of the State Bond Commission except that
892 such bonds shall mature or otherwise be retired in annual
893 installments beginning not more than five (5) years from the date
894 thereof and extending not more than twenty-five (25) years from
895 the date thereof. The bonds shall be signed by the Chairman of
896 the State Bond Commission, or by his facsimile signature, and the
897 official seal of the State Bond Commission shall be imprinted on
898 or affixed thereto, attested by the manual or facsimile signature
899 of the Secretary of the State Bond Commission. Whenever any such
900 bonds have been signed by the officials herein designated to sign
901 the bonds, who were in office at the time of such signing but who
902 may have ceased to be such officers before the sale and delivery
903 of such bonds, or who may not have been in office on the date such
904 bonds may bear, the signatures of such officers upon such bonds
905 shall nevertheless be valid and sufficient for all purposes and
906 have the same effect as if the person so officially signing such
907 bonds had remained in office until the delivery of the same to the
908 purchaser, or had been in office on the date such bonds may bear.

909 (6) All bonds issued under the provisions of this section
910 shall be and are hereby declared to have all the qualities and
911 incidents of negotiable instruments under the provisions of the
912 Uniform Commercial Code and in exercising the powers granted by
913 this chapter, the State Bond Commission shall not be required to



914 and need not comply with the provisions of the Uniform Commercial
915 Code.

916 (7) The State Bond Commission shall act as issuing agent for
917 the bonds, prescribe the form of the bonds, advertise for and
918 accept bids, issue and sell the bonds on sealed bids at public
919 sale, pay all fees and costs incurred in such issuance and sale,
920 and do any and all other things necessary and advisable in
921 connection with the issuance and sale of the bonds. The State
922 Bond Commission may sell such bonds on sealed bids at public sale
923 for such price as it may determine to be for the best interest of
924 the State of Mississippi, but no such sale shall be made at a
925 price less than par plus accrued interest to date of delivery of
926 the bonds to the purchaser. The bonds shall bear interest at such
927 rate or rates not exceeding the limits set forth in Section
928 75-17-101 as shall be fixed by the State Bond Commission. All
929 interest accruing on such bonds so issued shall be payable
930 semiannually or annually; provided that the first interest payment
931 may be for any period of not more than one (1) year.

932 Notice of the sale of any bonds shall be published at least
933 one time, the first of which shall be made not less than ten (10)
934 days prior to the date of sale, and shall be so published in one
935 or more newspapers having a general circulation in the City of
936 Jackson, Mississippi, selected by the State Bond Commission.

937 The State Bond Commission, when issuing any bonds under the
938 authority of this section, may provide that the bonds, at the



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

942 (8) State bonds issued under the provisions of this section
943 shall be the general obligations of the state and backed by the
944 full faith and credit of the state. The Legislature shall
945 appropriate annually an amount sufficient to pay the principal of
946 and the interest on such bonds as they become due. All bonds
947 shall contain recitals on their faces substantially covering the
948 foregoing provisions of this section.

949 (9) The State Treasurer is authorized to certify to the
950 Department of Finance and Administration the necessity for
951 warrants, and the Department of Finance and Administration is
952 authorized and directed to issue such warrants payable out of any
953 funds appropriated by the Legislature under this section for such
954 purpose, in such amounts as may be necessary to pay when due the
955 principal of and interest on all bonds issued under the provisions
956 of this section. The State Treasurer shall forward the necessary
957 amount to the designated place or places of payment of such bonds
958 in ample time to discharge such bonds, or the interest thereon, on
959 the due dates thereof.

960 (10) The bonds may be issued without any other proceedings
961 or the happening of any other conditions or things other than
962 those proceedings, conditions and things which are specified or
963 required by this chapter. Any resolution providing for the



964 issuance of general obligation bonds under the provisions of this
965 section shall become effective immediately upon its adoption by
966 the State Bond Commission, and any such resolution may be adopted
967 at any regular or special meeting of the State Bond Commission by
968 a majority of its members.

969 (11) In anticipation of the issuance of bonds hereunder, the
970 State Bond Commission is authorized to negotiate and enter into
971 any purchase, loan, credit or other agreement with any bank, trust
972 company or other lending institution or to issue and sell interim
973 notes for the purpose of making any payments authorized under this
974 section. All borrowings made under this provision shall be
975 evidenced by notes of the state which shall be issued from time to
976 time, for such amounts not exceeding the amount of bonds
977 authorized herein, in such form and in such denomination and
978 subject to such terms and conditions of sale and issuance,
979 prepayment or redemption and maturity, rate or rates of interest
980 not to exceed the maximum rate authorized herein for bonds, and
981 time of payment of interest as the State Bond Commission shall
982 agree to in such agreement. Such notes shall constitute general
983 obligations of the state and shall be backed by the full faith and
984 credit of the state. Such notes may also be issued for the
985 purpose of refunding previously issued notes. No note shall
986 mature more than three (3) years following the date of its
987 issuance. The State Bond Commission is authorized to provide for
988 the compensation of any purchaser of the notes by payment of a



989 fixed fee or commission and for all other costs and expenses of
990 issuance and service, including paying agent costs. Such costs
991 and expenses may be paid from the proceeds of the notes.

992 (12) The bonds and interim notes authorized under the
993 authority of this section may be validated in the Chancery Court
994 of the First Judicial District of Hinds County, Mississippi, in
995 the manner and with the force and effect provided now or hereafter
996 by Chapter 13, Title 31, Mississippi Code of 1972, for the
997 validation of county, municipal, school district and other bonds.
998 The necessary papers for such validation proceedings shall be
999 transmitted to the State Bond Attorney, and the required notice
1000 shall be published in a newspaper published in the City of
1001 Jackson, Mississippi.

1002 (13) Any bonds or interim notes issued under the provisions
1003 of this chapter, a transaction relating to the sale or securing of
1004 such bonds or interim notes, their transfer and the income
1005 therefrom shall at all times be free from taxation by the state or
1006 any local unit or political subdivision or other instrumentality
1007 of the state, excepting inheritance and gift taxes.

1008 (14) All bonds issued under this chapter shall be legal
1009 investments for trustees, other fiduciaries, savings banks, trust
1010 companies and insurance companies organized under the laws of the
1011 State of Mississippi; and such bonds shall be legal securities
1012 which may be deposited with and shall be received by all public
1013 officers and bodies of the state and all municipalities and other



1014 political subdivisions thereof for the purpose of securing the
1015 deposit of public funds.

1016 (15) The Attorney General of the State of Mississippi shall
1017 represent the State Bond Commission in issuing, selling and
1018 validating bonds herein provided for, and the Bond Commission is
1019 hereby authorized and empowered to expend from the proceeds
1020 derived from the sale of the bonds authorized hereunder all
1021 necessary administrative, legal and other expenses incidental and
1022 related to the issuance of bonds authorized under this chapter.

1023 (16) There is hereby created a special fund in the State
1024 Treasury to be known as the Mississippi Major Economic Impact
1025 Authority Fund wherein shall be deposited the proceeds of the
1026 bonds issued under this chapter and all monies received by the
1027 authority to carry out the purposes of this chapter. Expenditures
1028 authorized herein shall be paid by the State Treasurer upon
1029 warrants drawn from the fund, and the Department of Finance and
1030 Administration shall issue warrants upon requisitions signed by
1031 the director of the authority.

1032 (17) (a) There is hereby created the Mississippi Economic
1033 Impact Authority Sinking Fund from which the principal of and
1034 interest on such bonds shall be paid by appropriation. All monies
1035 paid into the sinking fund not appropriated to pay accruing bonds
1036 and interest shall be invested by the State Treasurer in such
1037 securities as are provided by law for the investment of the
1038 sinking funds of the state.



1039 (b) In the event that all or any part of the bonds and
1040 notes are purchased, they shall be cancelled and returned to the
1041 loan and transfer agent as cancelled and paid bonds and notes and
1042 thereafter all payments of interest thereon shall cease and the
1043 cancelled bonds, notes and coupons, together with any other
1044 cancelled bonds, notes and coupons, shall be destroyed as promptly
1045 as possible after cancellation but not later than two (2) years
1046 after cancellation. A certificate evidencing the destruction of
1047 the cancelled bonds, notes and coupons shall be provided by the
1048 loan and transfer agent to the seller.

1049 (c) The State Treasurer shall determine and report to
1050 the Department of Finance and Administration and Legislative
1051 Budget Office by September 1 of each year the amount of money
1052 necessary for the payment of the principal of and interest on
1053 outstanding obligations for the following fiscal year and the
1054 times and amounts of the payments. It shall be the duty of the
1055 Governor to include in every executive budget submitted to the
1056 Legislature full information relating to the issuance of bonds and
1057 notes under the provisions of this chapter and the status of the
1058 sinking fund for the payment of the principal of and interest on
1059 the bonds and notes.

1060 (d) Any monies repaid to the state from loans
1061 authorized in Section 57-75-11(hh) shall be deposited into the
1062 Mississippi Major Economic Impact Authority Sinking Fund unless
1063 the State Bond Commission, at the request of the authority, shall



1064 determine that such loan repayments are needed to provide
1065 additional loans as authorized under Section 57-75-11(hh). For
1066 purposes of providing additional loans, there is hereby created
1067 the Mississippi Major Economic Impact Authority Revolving Loan
1068 Fund and loan repayments shall be deposited into the fund. The
1069 fund shall be maintained for such period as determined by the
1070 State Bond Commission for the sole purpose of making additional
1071 loans as authorized by Section 57-75-11(hh). Unexpended amounts
1072 remaining in the fund at the end of a fiscal year shall not lapse
1073 into the State General Fund and any interest earned on amounts in
1074 such fund shall be deposited to the credit of the fund.

1075 (e) Any monies repaid to the state from loans
1076 authorized in Section 57-75-11(ii) shall be deposited into the
1077 Mississippi Major Economic Impact Authority Sinking Fund.

1078 (f) Any monies repaid to the state from loans
1079 authorized in Section 57-75-11(jj) or Section 57-75-11(vv) shall
1080 be deposited into the Mississippi Major Economic Impact Authority
1081 Sinking Fund.

1082 (18) (a) Upon receipt of a declaration by the authority
1083 that it has determined that the state is a potential site for a
1084 project, the State Bond Commission is authorized and directed to
1085 authorize the State Treasurer to borrow money from any special
1086 fund in the State Treasury not otherwise appropriated to be
1087 utilized by the authority for the purposes provided for in this
1088 subsection.



1089 (b) The proceeds of the money borrowed under this
1090 subsection may be utilized by the authority for the purpose of
1091 defraying all or a portion of the costs incurred by the authority
1092 with respect to acquisition options and planning, design and
1093 environmental impact studies with respect to a project defined in
1094 Section 57-75-5(f)(xi) or Section 57-75-5(f)(xxix). The authority
1095 may escalate its budget and expend the proceeds of the money
1096 borrowed under this subsection in accordance with rules and
1097 regulations of the Department of Finance and Administration in a
1098 manner consistent with the escalation of federal funds.

1099 (c) The authority shall request an appropriation or
1100 additional authority to issue general obligation bonds to repay
1101 the borrowed funds and establish a date for the repayment of the
1102 funds so borrowed.

1103 (d) Borrowings made under the provisions of this
1104 subsection shall not exceed Five Hundred Thousand Dollars
1105 (\$500,000.00) at any one time.

1106 **SECTION 2.** This act shall take effect and be in force from
1107 and after July 1, 2022.

