

By: Representatives Sanders, Hines

To: Ways and Means

HOUSE BILL NO. 1533

1 AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION
 2 BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF ROSEDALE,
 3 MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIR, RENOVATION,
 4 FURNISHING AND EQUIPPING OF AND UPGRADES AND IMPROVEMENTS TO THE
 5 FORMER BOLIVAR COUNTY HEALTH DEPARTMENT BUILDING TO BE USED BY THE
 6 CITY FOR A NEW CITY HALL/MUNICIPAL BUILDING; REPAIR, RENOVATION,
 7 FURNISHING AND EQUIPPING OF AND UPGRADES AND IMPROVEMENTS TO THE
 8 CURRENT CITY HALL TO BE USED AS THE NEW CITY POLICE DEPARTMENT
 9 BUILDING; AND FOR DOWNTOWN INFRASTRUCTURE IMPROVEMENTS; AND FOR
 10 RELATED PURPOSES.

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

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

15 (a) "State" means the State of Mississippi.

16 (b) "Commission" means the State Bond Commission.

17 (2) The principal of and interest on the bonds authorized
 18 under this act shall be payable in the manner provided in this
 19 subsection. Such bonds shall bear such date or dates, be in such
 20 denomination or denominations, bear interest at such rate or rates
 21 (not to exceed the limits set forth in Section 75-17-101,
 22 Mississippi Code of 1972), be payable at such place or places



23 within or without the State of Mississippi, shall mature
24 absolutely at such time or times not to exceed twenty-five (25)
25 years from date of issue, be redeemable before maturity at such
26 time or times and upon such terms, with or without premium, shall
27 bear such registration privileges, and shall be substantially in
28 such form, all as shall be determined by resolution of the
29 commission.

30 (3) The bonds authorized by this act shall be signed by the
31 chairman of the commission, or by his facsimile signature, and the
32 official seal of the commission shall be affixed thereto, attested
33 by the secretary of the commission. The interest coupons, if any,
34 to be attached to such bonds may be executed by the facsimile
35 signatures of such officers. Whenever any such bonds shall have
36 been signed by the officials designated to sign the bonds who were
37 in office at the time of such signing but who may have ceased to
38 be such officers before the sale and delivery of such bonds, or
39 who may not have been in office on the date such bonds may bear,
40 the signatures of such officers upon such bonds and coupons shall
41 nevertheless be valid and sufficient for all purposes and have the
42 same effect as if the person so officially signing such bonds had
43 remained in office until their delivery to the purchaser, or had
44 been in office on the date such bonds may bear. However,
45 notwithstanding anything herein to the contrary, such bonds may be
46 issued as provided in the Registered Bond Act of the State of
47 Mississippi.



48 (4) All bonds and interest coupons issued under the
49 provisions of this act have all the qualities and incidents of
50 negotiable instruments under the provisions of the Uniform
51 Commercial Code, and in exercising the powers granted by this act,
52 the commission shall not be required to and need not comply with
53 the provisions of the Uniform Commercial Code.

54 (5) The commission shall act as issuing agent for the bonds
55 authorized under this act, prescribe the form of the bonds,
56 determine the appropriate method for sale of the bonds, advertise
57 for and accept bids or negotiate the sale of the bonds, issue and
58 sell the bonds so authorized to be sold, pay all fees and costs
59 incurred in such issuance and sale, and do any and all other
60 things necessary and advisable in connection with the issuance and
61 sale of such bonds. The commission is authorized and empowered to
62 pay the costs that are incident to the sale, issuance and delivery
63 of the bonds authorized under this act from the proceeds derived
64 from the sale of such bonds. The commission may sell such bonds
65 on sealed bids at public sale or may negotiate the sale of the
66 bonds for such price as it may determine to be for the best
67 interest of the State of Mississippi. All interest accruing on
68 such bonds so issued shall be payable semiannually or annually.

69 If such bonds are sold by sealed bids at public sale, notice
70 of the sale shall be published at least one time, not less than
71 ten (10) days before the date of sale, and shall be so published
72 in one or more newspapers published or having a general



73 circulation in the City of Jackson, Mississippi, selected by the
74 commission.

75 The commission, when issuing any bonds under the authority of
76 this act, may provide that bonds, at the option of the State of
77 Mississippi, may be called in for payment and redemption at the
78 call price named therein and accrued interest on such date or
79 dates named therein.

80 (6) The bonds issued under the provisions of this act are
81 general obligations of the State of Mississippi, and for the
82 payment thereof the full faith and credit of the State of
83 Mississippi is irrevocably pledged. If the funds appropriated by
84 the Legislature are insufficient to pay the principal of and the
85 interest on such bonds as they become due, then the deficiency
86 shall be paid by the State Treasurer from any funds in the State
87 Treasury not otherwise appropriated. All such bonds shall contain
88 recitals on their faces substantially covering the provisions of
89 this subsection.

90 (7) Upon the issuance and sale of bonds under the provisions
91 of this act, the commission shall transfer the proceeds of any
92 such sale or sales to the special fund created in Section 2(1) of
93 this act. The proceeds of such bonds shall be disbursed from the
94 special fund under such restrictions, if any, as may be contained
95 in the resolution providing for the issuance of the bonds.

96 (8) The bonds authorized under this act may be issued
97 without any other proceedings or the happening of any other



98 conditions or things other than those proceedings, conditions and
99 things which are specified or required by this act. Any
100 resolution providing for the issuance of bonds under the
101 provisions of this act shall become effective immediately upon its
102 adoption by the commission, and any such resolution may be adopted
103 at any regular or special meeting of the commission by a majority
104 of its members.

105 (9) The bonds authorized under the authority of this act may
106 be validated in the Chancery Court of the First Judicial District
107 of Hinds County, Mississippi, in the manner and with the force and
108 effect provided by Chapter 13, Title 31, Mississippi Code of 1972,
109 for the validation of county, municipal, school district and other
110 bonds. The notice to taxpayers required by such statutes shall be
111 published in a newspaper published or having a general circulation
112 in the City of Jackson, Mississippi.

113 (10) Any holder of bonds issued under the provisions of this
114 act or of any of the interest coupons pertaining thereto may,
115 either at law or in equity, by suit, action, mandamus or other
116 proceeding, protect and enforce any and all rights granted under
117 this act, or under such resolution, and may enforce and compel
118 performance of all duties required by this act to be performed, in
119 order to provide for the payment of bonds and interest thereon.

120 (11) All bonds issued under the provisions of this act shall
121 be legal investments for trustees and other fiduciaries, and for
122 savings banks, trust companies and insurance companies organized



123 under the laws of the State of Mississippi, and such bonds shall
124 be legal securities which may be deposited with and shall be
125 received by all public officers and bodies of this state and all
126 municipalities and political subdivisions for the purpose of
127 securing the deposit of public funds.

128 (12) Bonds issued under the provisions of this act and
129 income therefrom shall be exempt from all taxation in the State of
130 Mississippi.

131 (13) The proceeds of the bonds issued under this act shall
132 be used solely for the purposes herein provided, including the
133 costs incident to the issuance and sale of such bonds.

134 (14) The State Treasurer is authorized, without further
135 process of law, to certify to the Department of Finance and
136 Administration the necessity for warrants, and the Department of
137 Finance and Administration is authorized and directed to issue
138 such warrants, in such amounts as may be necessary to pay when due
139 the principal of, premium, if any, and interest on, or the
140 accreted value of, all bonds issued under this act; and the State
141 Treasurer shall forward the necessary amount to the designated
142 place or places of payment of such bonds in ample time to
143 discharge such bonds, or the interest thereon, on the due dates
144 thereof. As used in this section, the "accreted value" of any
145 bond means, as of any date of computation, an amount equal to the
146 sum of (i) the stated initial value of such bond, plus (ii) the
147 interest accrued thereon from the issue date to the date of



148 computation at the rate, compounded semiannually, that is
149 necessary to produce the approximate yield to maturity shown for
150 bonds of the same maturity.

151 (15) This act shall be deemed to be full and complete
152 authority for the exercise of the powers granted in this act that
153 relate to the issuance of bonds, but this act shall not be deemed
154 to repeal or to be in derogation of any existing law of this state
155 that relates to the issuance of bonds.

156 **SECTION 2.** (1) (a) (i) A special fund, to be designated
157 as the "2023 City of Rosedale Downtown Improvements Fund," is
158 created within the State Treasury. The fund shall be maintained
159 by the State Treasurer as a separate and special fund, separate
160 and apart from the General Fund of the state. Unexpended amounts
161 remaining in the fund at the end of a fiscal year shall not lapse
162 into the State General Fund, and any interest earned or investment
163 earnings on amounts in the fund shall be deposited into such fund.

164 (ii) Monies deposited into the fund shall be
165 disbursed, in the discretion of the Department of Finance and
166 Administration, as follows:

167 1. Not more than One Million Fifty Thousand
168 Dollars (\$1,050,000.00) shall be used to assist the City of
169 Rosedale, Mississippi, in paying costs associated with repair,
170 renovation, furnishing and equipping of and upgrades and
171 improvements to the former Bolivar County Health Department
172 building to be used by the city for a new City Hall/Municipal



173 Building, and repair, renovation, furnishing and equipping of and
174 upgrades and improvements to the current City Hall to be used as
175 the new City of Rosedale Police Department building; and

176 2. Not more than Nine Hundred Thirty-seven
177 Thousand One Hundred Dollars (\$937,100.00) shall be used to assist
178 the City of Rosedale, Mississippi, in paying costs associated with
179 construction, repair, upgrades and improvements to sidewalks,
180 street lighting, storm sewer infrastructure and water
181 infrastructure in downtown Rosedale.

182 (b) Amounts deposited into such special fund shall be
183 disbursed to pay the costs of the projects described in paragraph
184 (a) of this subsection. Promptly after the commission has
185 certified, by resolution duly adopted, that the projects described
186 in paragraph (a) of this subsection shall have been completed,
187 abandoned, or cannot be completed in a timely fashion, any amounts
188 remaining in such special fund shall be applied to pay debt
189 service on the bonds issued under this section, in accordance with
190 the proceedings authorizing the issuance of such bonds and as
191 directed by the commission.

192 (2) (a) The commission, at one time, or from time to time,
193 may declare by resolution the necessity for issuance of general
194 obligation bonds of the State of Mississippi to provide funds for
195 all costs incurred or to be incurred for the purposes described in
196 subsection (1) of this section. Upon the adoption of a resolution
197 by the Department of Finance and Administration, declaring the



198 necessity for the issuance of any part or all of the general
199 obligation bonds authorized by this section, the department shall
200 deliver a certified copy of its resolution or resolutions to the
201 commission. Upon receipt of such resolution, the commission is
202 authorized to proceed under the provisions of Section 1(5) of this
203 act. The total amount of bonds issued under this section shall
204 not exceed One Million Nine Hundred Eighty-seven Thousand One
205 Hundred Dollars (\$1,987,100.00). No bonds shall be issued under
206 this section after July 1, 2027.

207 (b) Any investment earnings on amounts deposited into
208 the special fund created in subsection (1) of this section shall
209 be used to pay debt service on bonds issued under this section, in
210 accordance with the proceedings authorizing issuance of such
211 bonds.

212 (3) The provisions of Section 1 of this act shall apply to
213 the issuance of bonds authorized under this section.

214 **SECTION 3.** This act shall take effect and be in force from
215 and after July 1, 2023.

