

By: Senator(s) Thomas

To: Finance

SENATE BILL NO. 2128

1 AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION
2 BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF ANGUILLA,
3 MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE PURCHASE AND
4 INSTALLATION OF NEW SIGNS AND LIGHTS ON MAIN STREET, THE
5 RENOVATION OF THE TOWN BASKETBALL COURT, AND THE PURCHASE AND
6 INSTALLATION OF AN OUTDOOR FLAGPOLE AND UNITED STATES FLAG; AND
7 FOR RELATED PURPOSES.

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

9 **SECTION 1.** (1) The provisions of this section shall apply
10 to every section of this act that relates to the issuance of bonds
11 unless otherwise provided in this act.

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

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

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

17 (3) 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 (4) 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 (5) 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 (6) 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 (7) 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 (8) 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 subsection (1)
93 of the applicable section of this act. The proceeds of such bonds
94 shall be disbursed from the special fund under such restrictions,



if any, as may be contained in the resolution providing for the issuance of the bonds.

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

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

(11) Any holder of bonds issued under the provisions of this act or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this act, or under such resolution, and may enforce and compel



performance of all duties required by this act to be performed, in order to provide for the payment of bonds and interest thereon.

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

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

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

(15) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this act; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to



144 discharge such bonds, or the interest thereon, on the due dates
145 thereof. As used in this section, the "accreted value" of any
146 bond means, as of any date of computation, an amount equal to the
147 sum of (a) the stated initial value of such bond, plus (b) the
148 interest accrued thereon from the issue date to the date of
149 computation at the rate, compounded semiannually, that is
150 necessary to produce the approximate yield to maturity shown for
151 bonds of the same maturity.

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

157 **SECTION 2.** (1) (a) (i) A special fund, to be designated
158 as the "2025 Town of Anguilla Improvements Fund," is created
159 within the State Treasury. The fund shall be maintained by the
160 State Treasurer as a separate and special fund, separate and apart
161 from the General Fund of the state. Unexpended amounts remaining
162 in the fund at the end of a fiscal year shall not lapse into the
163 State General Fund, and any interest earned or investment earnings
164 on amounts in the fund shall be deposited into such fund.

165 (ii) Monies deposited into the fund shall be
166 disbursed, in the discretion of the Department of Finance and
167 Administration, to assist the Town of Anguilla, Mississippi, in
168 paying the costs associated with the following projects:



169 1. The purchase and installation of new signs
170 and lights on Main Street;

171 2. The renovation of the town basketball
172 court; and

173 3. The purchase and installation of an
174 outdoor flagpole and United States flag.

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

185 (2) (a) The commission, at one time, or from time to time,
186 may declare by resolution the necessity for issuance of general
187 obligation bonds of the State of Mississippi to provide funds for
188 all costs incurred or to be incurred for the purposes described in
189 subsection (1) of this section. Upon the adoption of a resolution
190 by the Department of Finance and Administration, declaring the
191 necessity for the issuance of any part or all of the general
192 obligation bonds authorized by this section, the department shall
193 deliver a certified copy of its resolution or resolutions to the



commission. Upon receipt of such resolution, the commission is authorized to proceed under the provisions of Section 1(6) of this act. The total amount of bonds issued under this section shall not exceed Fifty Thousand Dollars (\$50,000.00). No bonds shall be issued under this section after July 1, 2029.

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

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

SECTION 3. This act shall take effect and be in force from and after its passage.

