

1 SB83
2 139925-6
3 By Senator Fielding
4 RFD: Banking and Insurance
5 First Read: 05-FEB-13

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8 SYNOPSIS: Under existing law, the governing body of a
9 city may adopt a resolution declaring the need for
10 a housing authority in the city. The authority has
11 the power to issue bonds, from time to time, in its
12 discretion for its corporate purposes. The bonds of
13 the authority bear interest at a rate or rates
14 payable semiannually according to the terms of the
15 resolution or its trust indenture or mortgage.
16 These bonds may be sold at public sale after notice
17 has been published once, at least 10 days prior to
18 the sale, in a local newspaper and in a financial
19 newspaper published in New York, New York, or New
20 Orleans, Louisiana. However, these bonds may be
21 sold to the federal government or a government
22 sponsored enterprise at private sale without any
23 public advertisement.

24 This bill would provide that the bonds would
25 bear interest at a rate or rates payable at the
26 time or times provided by the terms of the
27 resolution or its trust indenture or mortgage.

1 This bill would provide that the bonds would
2 be sold by public or private sale as determined by
3 the authority and any public sale of bonds would be
4 conducted after notice has been published at least
5 10 days prior to the sale in a local newspaper
6 under certain conditions and in a financial
7 newspaper published in the City of New York, New
8 York, or posted electronically on a website or
9 other electronic or Internet service reasonably
10 expected to be available to potential purchasers of
11 the bonds.

12
13 A BILL
14 TO BE ENTITLED
15 AN ACT
16

17 To amend Section 24-1-32, Code of Alabama 1975,
18 relating to housing authority bonds; to provide that the bonds
19 of the authority shall bear interest at a rate or rates
20 payable at the time or times provided by the terms of the
21 resolution or its trust indenture or mortgage; and to provide
22 that the bonds shall be sold by public or private sale as
23 determined by the authority and any public sale of bonds shall
24 be conducted after proper notice is published in certain
25 newspapers or posted electronically on a website or other
26 electronic or Internet service reasonably expected to be
27 available to potential purchasers of the bonds.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

2 Section 1. Section 24-1-32, Code of Alabama 1975, is
3 amended to read as follows:

4 "§24-1-32.

5 "The bonds of the authority shall be authorized by
6 its resolution and shall be issued in one or more series and
7 shall bear such date or dates, mature at such time or times,
8 not exceeding 60 years from their respective dates, bear
9 interest at such rate or rates, per annum payable ~~semiannually~~
10 at the time or times, be in such denominations, which may be
11 made interchangeable, be in such form, either coupon or
12 registered, carry such registration privileges, be executed in
13 such manner, be payable in such medium of payment, at such
14 place or places, and be subject to such terms of redemption,
15 with or without premium, as such resolution or its trust
16 indenture or mortgage may provide. ~~The bonds may be sold at~~
17 ~~public sale held after notice published once, at least 10 days~~
18 ~~prior to such sale, in a newspaper circulating in the city and~~
19 ~~in a financial newspaper published in the City of New York,~~
20 ~~New York, or in the City of New Orleans, Louisiana; provided,~~
21 ~~however, that such bonds may be sold to the federal government~~
22 ~~or to a government sponsored enterprise at private sale~~
23 ~~without any public advertisement.~~ The bonds shall be sold by
24 public or private sale as determined by the authority. Any
25 public sale of bonds shall be conducted after notice
26 published, at least 10 days prior to the sale in a newspaper
27 published in the city in which the authority was incorporated

1 to serve and in a financial newspaper published in the City of
2 New York, New York, or posted electronically on a website or
3 other electronic or Internet service reasonably expected to be
4 available to potential purchasers of the bonds. The bonds may
5 be sold at such price or prices as the authority shall
6 determine. Pending the authorization, preparation, execution
7 or delivery of definitive bonds the authority may issue
8 interim certificates, or other temporary obligations to the
9 purchaser of such bonds. Such interim certificates, or other
10 temporary obligations, shall be in such form, contain such
11 terms, conditions and provisions, bear such date or dates and
12 evidence such agreements relating to their discharge or
13 payment or the delivery of definitive bonds as the authority
14 may by resolution, trust indenture or mortgage determine. In
15 case any of the officers whose signatures appear on any bonds
16 or coupons shall cease to be such officers before the delivery
17 of such bonds, such signatures shall, nevertheless, be valid
18 and sufficient for all purposes, the same as if they had
19 remained in office until such delivery. The authority shall
20 have power, out of any funds available therefor, to purchase
21 any bonds issued by it at a price not more than the principal
22 amount thereof and the accrued interest. All bonds so
23 purchased shall be cancelled. This section shall not apply to
24 the redemption of bonds. Any provision of any law to the
25 contrary notwithstanding, any bonds, interim certificates or
26 other obligations issued pursuant to this article are hereby
27 declared to be negotiable instruments."

1 Section 2. This act shall become effective on the
2 first day of the third month following its passage and
3 approval by the Governor, or its otherwise becoming law.