

House Bill 542

By: Representatives Jenkins of the 110<sup>th</sup> and Irvin of the 45<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 36-82-3 of the Official Code of Georgia Annotated, relating to the  
2 issuance of bonds, so as to provide that, upon the request of the purchaser, bonds shall be  
3 fully registered in the name of the purchaser, inscribed with the name of the purchaser, and  
4 delivered to the purchaser; to amend Code Section 36-82-64 of the Official Code of Georgia  
5 Annotated, relating to the issuance of revenue bonds generally, so as to provide that, upon  
6 the request of the purchaser, revenue bonds shall be fully registered in the name of the  
7 purchaser, inscribed with the name of the purchaser, and delivered to the purchaser; to amend  
8 Code Section 50-17-26 of the Official Code of Georgia Annotated, relating to evidences of  
9 indebtedness generally, so as to provide that, upon the request of the purchaser, bonds shall  
10 be fully registered in the name of the purchaser, inscribed with the name of the purchaser,  
11 and delivered to the purchaser; to repeal conflicting laws; and for other purposes.

12 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

13 **SECTION 1.**

14 Code Section 36-82-3 of the Official Code of Georgia Annotated, relating to the issuance of  
15 bonds, is amended by striking subsection (c) in its entirety and inserting in lieu thereof a new  
16 subsection (c) to read as follows:

17 "(c) General obligation refunding bonds may be issued in one or more series; may bear  
18 such date or dates; may mature at such time or times, and bear interest at such rate or rates  
19 per annum, payable at such time or times, subject to the limitations contained in subsection  
20 (f) of Code Section 36-82-1, pertaining to the final maturity date and maximum interest rate  
21 for such refunding bonds; may be payable in such medium of payment at such place or  
22 places; may be in such denomination or denominations; may be in such form, either coupon  
23 or registered; may carry such registration, conversion, and exchangeability privileges; may  
24 be subject to such terms of redemption, with or without a premium; may be executed in  
25 such manner; and may contain such terms, covenants, and conditions as the ordinance or  
26 resolution authorizing the issuance of such refunding bonds may provide. All general

1 obligation refunding bonds issued under this article bearing the signature of officers in  
 2 office on the date of the signing thereof shall be valid and binding, notwithstanding that  
 3 before delivery thereof and payment therefor such officers whose signatures appear thereon  
 4 shall have ceased to be officers of the governmental body issuing the bonds. Pending the  
 5 preparation of the definitive bonds, interim receipts, in such form and with such provisions  
 6 as the governing body may determine, may be issued to the purchaser or purchasers of  
 7 bonds to be issued under this article. Such refunding bonds and interim receipts shall be  
 8 negotiable for all purposes. Such refunding bonds shall be and are declared to be  
 9 nontaxable for any and all purposes. Every issuance of bonds issued pursuant to this article  
 10 on or after July 1, 2001, shall provide that, upon the request of the purchaser, the bonds  
 11 shall be fully registered in the name of the purchaser, inscribed with the name of the  
 12 purchaser, and delivered to the purchaser."

### 13 SECTION 2.

14 Code Section 36-82-64 of the Official Code of Georgia Annotated, relating to the issuance  
 15 of revenue bonds generally, is amended by striking the Code section in its entirety and  
 16 inserting in lieu thereof a new Code Section 36-82-64 to read as follows:

17 "36-82-64.

18 Revenue bonds may be issued under this article in one or more series; may bear such date  
 19 or dates; may mature at such time or times, not exceeding 40 years from their respective  
 20 dates; may bear interest at such rate or rates not exceeding 9 percent per annum, payable  
 21 at such time or times; may be payable in such medium of payment at such place or places;  
 22 may be in such denomination or denominations; may be in such form, either coupon or  
 23 registered; may carry such registration, conversion, and exchangeability privileges; may  
 24 be subject to such terms of redemption, with or without premium; may be declared or  
 25 become due before the maturity date thereof; may be executed in such manner; and may  
 26 contain such terms, covenants, assignments, and conditions as the resolution or resolutions  
 27 authorizing the issuance of such bonds may provide. Every issuance of bonds issued  
 28 pursuant to this article on or after July 1, 2001, shall provide that, upon the request of the  
 29 purchaser, the bonds shall be fully registered in the name of the purchaser, inscribed with  
 30 the name of the purchaser, and delivered to the purchaser. All bonds issued under this  
 31 article bearing the signature of officers in office on the date of the signing thereof shall be  
 32 valid and binding, notwithstanding that before delivery thereof and payment therefor such  
 33 officers whose signatures appear thereon shall have ceased to be officers of the  
 34 governmental body issuing the bonds. Pending the preparation of the definitive bonds,  
 35 interim receipts, in such form and with such provisions as the governing body may  
 36 determine, may be issued to the purchaser or purchasers of bonds to be issued under this

1 article. Such bonds and interim receipts shall be negotiable for all purposes. Such bonds  
2 shall be and are declared to be nontaxable for any and all purposes."

3 **SECTION 3.**

4 Code Section 50-17-26 of the Official Code of Georgia Annotated, relating to evidences of  
5 indebtedness generally, is amended by adding a new subsection (i) to read as follows:

6 "(i) *Registration of bonds.* Every issuance of bonds issued pursuant to this article on or  
7 after July 1, 2001, shall provide that, upon the request of the purchaser, the bonds shall be  
8 fully registered in the name of the purchaser, inscribed with the name of the purchaser, and  
9 delivered to the purchaser."

10 **SECTION 4.**

11 All laws and parts of laws in conflict with this Act are repealed.