

SENATE BILL No. 1201

March 12, 2002, Introduced by Senator BULLARD and referred to the Committee on Finance.

A bill relative to the reporting of the issuance of certain debt and securities; to prescribe powers and duties of certain departments, agencies, officials, and employees; to impose certain duties; and to authorize the issuance and refunding of certain debt and securities.

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THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "agency financing reporting act".

3 Sec. 3. As used in this act:

4 (a) "Agency" means this state, a state authority, agency,
5 funds commission, board, or department of this state. Agency
6 also includes a municipality issuing debt exempt from the provi-
7 sions of the revised municipal finance act, 2001 PA 34,
8 MCL 141.2101 to 141.2821, or the provisions of the revenue bond
9 act of 1933, 1933 PA 94, MCL 141.101 to 141.140.

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1 (b) "Department" means the department of treasury.

2 (c) "Municipality" means a county, township, city, village,
3 school district, intermediate school district, community college
4 district, metropolitan district, port district, drainage dis-
5 trict, district library, or another local governmental authority
6 in this state that has the power to issue a security.

7 (d) "Security" means an evidence of debt such as a bond,
8 note, contract, obligation, refunding obligation, certificate of
9 indebtedness, or other similar instrument issued by an agency,
10 which pledges payment of the debt by the agency from an identi-
11 fied source of revenue. Security does not include the items
12 described in section 105 of the revised municipal finance act,
13 2001 PA 34, MCL 141.2105.

14 Sec. 5. Before issuing a security, an agency shall file
15 with the department a statement of intent to issue a security on
16 a form and in a manner prescribed by the department.

17 Sec. 7. (1) Within 15 business days of completing the issu-
18 ance of any security, an agency shall file all of the following
19 with the department in a form and manner prescribed by the
20 department:

21 (a) A copy of the security.

22 (b) A proof of publication of the notice of sale, if
23 applicable.

24 (c) A copy of the award resolution including a detail of the
25 annual interest rate and call features on the security, if any.

26 (d) A copy of the legal opinion regarding the legality and
27 tax status of the security.

1 (e) A copy of the notice of rating of the security received
2 from a recognized rating agency, if any.

3 (f) A copy of the resolution or ordinance authorizing the
4 issuance of the security.

5 (g) A copy of the official statement, if any.

6 (2) The failure to comply with subsection (1) does not
7 invalidate any of the securities reported under this act.