

**216.813 Revenue bonds -- Issuance by authority -- Sale -- Use of proceeds -- Temporary bonds.**

- (1) The authority may provide for the issuance of revenue bonds to pay all or any part of the cost of any projects undertaken pursuant to an agreement and lease. The principal and interest on the bonds are payable solely from the funds provided for the payment. Any issue may be in one (1) or more series and any series may enjoy equal or subordinate status with respect to the pledge of funds from which they are payable, shall be dated, shall bear interest at a rate or rates or method of determining rates, shall mature at a time or times not exceeding forty (40) years from their date or dates, as may be provided by the authority, and may be made redeemable before maturity, at the option of the authority, at a price or prices and under the terms and conditions as fixed by the authority prior to the issuance of the bonds. The authority shall determine the form of the bonds, including any interest coupons to be attached to the bonds, and shall fix the denomination of the bonds and the place or places for payment of principal and interest, which may be at any bank or trust company within or without the Commonwealth or at the office of the Finance and Administration Cabinet. The bonds shall be signed by the facsimile signature of the chairman of the authority, and the seal of the authority or a facsimile shall be affixed to the bonds and attested by the manual signature of the secretary of the authority, and any coupons attached to the bonds shall bear the facsimile signature of the chairman of the authority. In case any officer whose signature or a facsimile of whose signature shall appear on any bonds or coupons shall cease to be an officer before the delivery of the bonds, the signature or facsimile shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until the delivery. All bonds issued under the provisions of KRS 216.800 to 216.853 have all the qualities and incidents of negotiable instruments under the Uniform Commercial Code, KRS Chapter 355. The bonds may be issued in coupon or in registered form, or both, as the authority may determine, and provision may be made for the registration of any coupon bonds as to principal alone and also as to both principal and interest, and for the reconversion into coupon bonds of any bonds registered as to both principal and interest. The authority may sell the bonds in a manner, either at public or private sale and for the price as it may determine will best effect the purposes of KRS 216.800 to 216.853.
- (2) The proceeds of the bonds of each issue shall be used solely for the payment of the cost of the project or projects for which the bonds shall have been issued, and shall be disbursed in a manner and under restrictions, if any, as the authority may provide in the proceedings authorizing the issuance of the bonds or in the trust indenture securing the same. If the proceeds of the bonds of any issue, by error of estimates or otherwise, shall be less than cost, additional bonds may in like manner be issued to provide the amount of the deficit, and, unless otherwise provided in the proceedings authorizing the issuance of such bonds or in the trust indenture securing the same, shall be deemed to be of the same issue and shall be entitled to payment from the same fund without preference or priority of the bonds first issued. If the proceeds of the bonds of any issue exceed the cost, the surplus shall be deposited to the credit of the sinking fund or funds for the bonds or any account or accounts as the authority

shall have provided in the proceedings or trust indenture authorizing and securing the bonds.

- (3) Prior to the preparation of definitive bonds, the authority may, under like restrictions, issue notes or temporary bonds, with or without coupons, exchangeable for definitive bonds when the bonds shall have been executed and are available for delivery. The authority may also provide for the replacement of any bonds which shall become mutilated or shall be destroyed or lost. Bonds may be issued under the provisions of KRS 216.800 to 216.853 without obtaining the consent of any cabinet, department, division, commission, board, or agency of the Commonwealth, and without any proceedings or any other conditions or things, except as specifically required by KRS 216.800 to 216.853. KRS 216.800 to 216.853 will supersede KRS 56.450 in regard to the sale of revenue bonds by this authority.

**Effective:** July 15, 1996

**History:** Amended 1996 Ky. Acts ch. 274, sec. 52, effective July 15, 1996. -- Amended 1984 Ky. Acts ch. 111, sec. 181, effective July 13, 1984. -- Amended 1974 Ky. Acts ch. 74, Art. II, sec. 9(1). -- Amended 1970 Ky. Acts ch. 92, sec. 74. -- Created 1968 Ky. Acts ch. 132, sec. 6, effective June 13, 1968.