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2016 Legislature

1
2 An act relating to utility projects; providing a short
3 title; defining terms; authorizing certain local
4 governmental entities to finance the costs of a
5 utility project by issuing utility cost containment
6 bonds upon application by a local agency; specifying
7 application requirements; requiring a successor entity
8 of a local agency to assume and perform the
9 obligations of the local agency with respect to the
10 financing of a utility project; providing procedures
11 for local agencies to use when applying to finance a
12 utility project using utility cost containment bonds;
13 authorizing an authority to issue utility cost
14 containment bonds for specified purposes related to
15 utility projects; authorizing an authority to form
16 alternate entities to finance utility projects;
17 requiring the governing body of the authority to adopt
18 a financing resolution and impose a utility project
19 charge on customers of a publicly owned utility as a
20 condition of utility project financing; specifying
21 required and optional provisions of the financing
22 resolution; specifying powers of the authority;
23 requiring the local agency or its publicly owned
24 utility to assist the authority in the establishment
25 or adjustment of the utility project charge; requiring
26 that customers of the public utility specified in the



ENROLLED

CS/HB 347, Engrossed 1

2016 Legislature

27 | financing resolution pay the utility project charge;
28 | providing for adjustment of the utility project
29 | charge; establishing ownership of the revenues of the
30 | utility project charge; requiring the local agency or
31 | its publicly owned utility to collect the utility
32 | project charge; conditioning a customer's receipt of
33 | public utility services on payment of the utility
34 | project charge; authorizing a local agency or its
35 | publicly owned utility to use available remedies to
36 | enforce collection of the utility project charge;
37 | providing that the pledge of the utility project
38 | charge to secure payment of bonds issued to finance
39 | the utility project is irrevocable and cannot be
40 | reduced or impaired except under certain conditions;
41 | providing that a utility project charge constitutes
42 | utility project property; providing that utility
43 | project property is subject to a lien to secure
44 | payment of costs relating to utility cost containment
45 | bonds; establishing payment priorities for the use of
46 | revenues of the utility project property; providing
47 | for the issuance and validation of utility cost
48 | containment bonds; securing the payment of utility
49 | cost containment bonds and related costs; providing
50 | that utility cost containment bonds do not obligate
51 | the state or any political subdivision and are not
52 | backed by their full faith and credit and taxing



ENROLLED

CS/HB 347, Engrossed 1

2016 Legislature

53 power; requiring that certain disclosures be printed
54 on utility cost containment bonds; providing that
55 financing costs related to utility cost containment
56 bonds are an obligation of the authority only;
57 providing limitations on the state's ability to alter
58 financing costs or utility project property under
59 certain circumstances; prohibiting an authority with
60 outstanding payment obligations on utility cost
61 containment bonds from becoming a debtor under certain
62 federal or state laws; providing for construction;
63 endowing public entities with certain powers;
64 providing an effective date.

65

66 Be It Enacted by the Legislature of the State of Florida:

67

68 Section 1. Utility Cost Containment Bond Act.—

69 (1) SHORT TITLE.—This section may be cited as the "Utility
70 Cost Containment Bond Act."

71 (2) DEFINITIONS.—As used in this section, the term:

72 (a) "Authority" means:

73 1. A legal entity created under s. 163.01(7)(g), Florida
74 Statutes; or

75 2. A legal entity created under s. 163.01, Florida
76 Statutes, composed of at least two of the following:

77 a. A public agency that provides retail water or
78 wastewater services in two or more counties;



ENROLLED

CS/HB 347, Engrossed 1

2016 Legislature

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b. A municipality; or

c. A county.

The authority or at least one member of the authority must provide retail water or wastewater services to at least 75,000 customers.

(b) "Cost," as applied to a utility project or a portion of a utility project financed under this section, means:

1. Any part of the expense of constructing, renovating, or acquiring lands, structures, real or personal property, rights, rights-of-way, franchises, easements, and interests acquired or used for a utility project;

2. The expense of demolishing or removing any buildings or structures on acquired land, including the expense of acquiring any lands to which the buildings or structures may be moved, and the cost of all machinery and equipment used for the demolition or removal;

3. Finance charges;

4. Interest, as determined by the authority;

5. Provisions for working capital and debt service reserves;

6. Expenses for extensions, enlargements, additions, replacements, renovations, and improvements;

7. Expenses for architectural, engineering, financial, accounting, and legal services, plans, specifications, estimates, and administration; or



ENROLLED

CS/HB 347, Engrossed 1

2016 Legislature

105 | 8. Any other expenses necessary or incidental to
106 | determining the feasibility of constructing a utility project or
107 | incidental to the construction, acquisition, or financing of a
108 | utility project.

109 | (c) "Customer" means a person receiving water or
110 | wastewater service from a publicly owned utility.

111 | (d) "Finance" or "financing" includes refinancing.

112 | (e) "Financing cost" means:

113 | 1. Interest and redemption premiums that are payable on
114 | utility cost containment bonds;

115 | 2. The cost of retiring the principal of utility cost
116 | containment bonds, whether at maturity, including acceleration
117 | of maturity upon an event of default, or upon redemption,
118 | including sinking fund redemption;

119 | 3. The cost related to issuing or servicing utility cost
120 | containment bonds, including any payment under an interest rate
121 | swap agreement and any type of fee;

122 | 4. A payment or expense associated with a bond insurance
123 | policy; financial guaranty; contract, agreement, or other credit
124 | or liquidity enhancement for bonds; or contract, agreement, or
125 | other financial agreement entered into in connection with
126 | utility cost containment bonds;

127 | 5. Any coverage charges; or

128 | 6. The funding of one or more reserve accounts relating to
129 | utility cost containment bonds.

130 | (f) "Financing resolution" means a resolution adopted by



ENROLLED

CS/HB 347, Engrossed 1

2016 Legislature

131 the governing body of an authority that provides for the
132 financing or refinancing of a utility project with utility cost
133 containment bonds and that imposes a utility project charge in
134 connection with the utility cost containment bonds in accordance
135 with subsection (4). A financing resolution may be separate from
136 a resolution authorizing the issuance of the bonds.

137 (g) "Governing body" means the body that governs a local
138 agency.

139 (h) "Local agency" means a member of the authority, or an
140 agency or subdivision of that member, which is sponsoring or
141 refinancing a utility project, or any municipality, county,
142 authority, special district, public corporation, regional water
143 authority, or other governmental entity of the state that is
144 sponsoring or refinancing a utility project.

145 (i) "Public utility services" means water or wastewater
146 services provided by a publicly owned utility. The term does not
147 include communications services, as defined in s. 202.11,
148 Florida Statutes, Internet access services, or information
149 services.

150 (j) "Publicly owned utility" means a utility providing
151 retail or wholesale water or wastewater services which is owned
152 and operated by a local agency. The term includes any successor
153 to the powers and functions of such a utility.

154 (k) "Revenue" means income and receipts of the authority
155 related to the financing of utility projects and issuance of
156 utility cost containment bonds, including any of the following:



ENROLLED

CS/HB 347, Engrossed 1

2016 Legislature

- 157 | 1. Bond purchase agreements;
158 | 2. Bonds acquired by the authority;
159 | 3. Installment sales agreements and other revenue-
160 | producing agreements entered into by the authority;
161 | 4. Utility projects financed or refinanced by the
162 | authority;
163 | 5. Grants and other sources of income;
164 | 6. Moneys paid by a local agency;
165 | 7. Interlocal agreements with a local agency, including
166 | all service agreements; or
167 | 8. Interest or other income from any investment of money
168 | in any fund or account established for the payment of principal,
169 | interest, or premiums on utility cost containment bonds, or the
170 | deposit of proceeds of utility cost containment bonds.
- 171 | (1) "Utility cost containment bonds" means bonds, notes,
172 | commercial paper, variable rate securities, and any other
173 | evidence of indebtedness issued by an authority the proceeds of
174 | which are used directly or indirectly to pay or reimburse a
175 | local agency or its publicly owned utility for the costs of a
176 | utility project and which are secured by a pledge of, and are
177 | payable from, utility project property.
- 178 | (m) "Utility project" means the acquisition, construction,
179 | installation, retrofitting, rebuilding, or other addition to or
180 | improvement of any equipment, device, structure, process,
181 | facility, technology, rights, or property located within or
182 | outside this state which is used in connection with the



ENROLLED

CS/HB 347, Engrossed 1

2016 Legislature

183 operations of a publicly owned utility.

184 (n) "Utility project charge" means a charge levied on
185 customers of a publicly owned utility to pay the financing costs
186 of utility cost containment bonds issued under subsection (4).
187 The term includes any adjustments to the utility project charge
188 made under subsection (5).

189 (o) "Utility project property" means the property right
190 created pursuant to subsection (6). The term does not include
191 any interest in a customer's real or personal property but
192 includes the right, title, and interest of an authority in any
193 of the following:

194 1. The financing resolution, the utility project charge,
195 and any adjustment to the utility project charge established in
196 accordance with subsection (5);

197 2. The financing costs of the utility cost containment
198 bonds and all revenues, and all collections, claims, payments,
199 moneys, or proceeds for, or arising from, the utility project
200 charge; or

201 3. All rights to obtain adjustments to the utility project
202 charge pursuant to subsection (5).

203 (3) UTILITY PROJECTS.—

204 (a) A local agency that owns and operates a publicly owned
205 utility may apply to an authority to finance the costs of a
206 utility project using the proceeds of utility cost containment
207 bonds. In its application to the authority, the local agency
208 shall specify the utility project to be financed by the utility



ENROLLED

CS/HB 347, Engrossed 1

2016 Legislature

209 cost containment bonds and the maximum principal amount, the
210 maximum interest rate, and the maximum stated terms of the
211 utility cost containment bonds.

212 (b) A local agency may not apply to an authority for the
213 financing of a utility project under this section unless the
214 governing body has determined, in a duly noticed public meeting,
215 all of the following:

216 1. The project to be financed is a utility project.

217 2. The local agency will finance costs of the utility
218 project, and the costs associated with the financing will be
219 paid from utility project property, including the utility
220 project charge for the utility cost containment bonds.

221 3. Based on the best information available to the
222 governing body, the rates charged to the local agency's retail
223 customers by the publicly owned utility, including the utility
224 project charge resulting from the financing of the utility
225 project with utility cost containment bonds, are expected to be
226 lower than the rates that would be charged if the project were
227 financed with bonds payable from revenues of the publicly owned
228 utility.

229 (c) A determination by the governing body that a project
230 to be financed with utility cost containment bonds is a utility
231 project is final and conclusive, and the utility cost
232 containment bonds issued to finance the utility project and the
233 utility project charge are valid and enforceable as set forth in
234 the financing resolution and the documents relating to the



ENROLLED

CS/HB 347, Engrossed 1

2016 Legislature

235 utility cost containment bonds.

236 (d) The savings resulting from the issuance of utility
237 cost containment bonds for a utility project must be used to
238 directly benefit the customers of the publicly owned utility
239 through rate reductions or other programs.

240 (e) If a local agency that has outstanding utility cost
241 containment bonds ceases to operate a water or wastewater
242 utility, directly or through its publicly owned utility,
243 references in this section to the local agency or to its
244 publicly owned utility must be to the successor entity. The
245 successor entity shall assume and perform all obligations of the
246 local agency and its publicly owned utility required by this
247 section and shall assume the servicing agreement required under
248 subsection (4) while the utility cost containment bonds remain
249 outstanding.

250 (4) FINANCING UTILITY PROJECTS.—

251 (a) An authority may issue utility cost containment bonds
252 to finance or refinance utility projects; refinance debt of a
253 local agency incurred in financing or refinancing utility
254 projects, provided such refinancing results in present value
255 savings to the local agency; or, with the approval of the local
256 agency, refinance previously issued utility cost containment
257 bonds.

258 1. To finance a utility project, the authority may:

259 a. Form a single-purpose limited liability company and
260 authorize the company to adopt the financing resolution of such



ENROLLED

CS/HB 347, Engrossed 1

2016 Legislature

261 utility project; or

262 b. Create a new single-purpose entity by interlocal
263 agreement under s. 163.01, Florida Statutes, the membership of
264 which shall consist of the authority and two or more of its
265 members or other public agencies.

266 2. A single-purpose limited liability company or a single-
267 purpose entity may be created by the authority solely for the
268 purpose of performing the duties and responsibilities of the
269 authority specified in this section and constitutes an authority
270 for all purposes of this section. Reference to the authority
271 includes a company or entity created under this paragraph.

272 (b) The governing body of an authority that is financing
273 the costs of a utility project shall adopt a financing
274 resolution and shall impose a utility project charge as
275 described in subsection (5). All provisions of a financing
276 resolution adopted pursuant to this section are binding on the
277 authority.

278 1. The financing resolution must:

279 a. Provide a brief description of the financial
280 calculation method the authority will use in determining the
281 utility project charge. The calculation method must include a
282 periodic adjustment methodology to be applied at least annually
283 to the utility project charge. The authority shall establish the
284 allocation of the utility project charge among classes of
285 customers of the publicly owned utility. The decision of the
286 authority is final and conclusive, and the method of calculating



ENROLLED

CS/HB 347, Engrossed 1

2016 Legislature

287 the utility project charge and the periodic adjustment may not
288 be changed;

289 b. Require each customer in the class or classes of
290 customers specified in the financing resolution who receives
291 water or wastewater service through the publicly owned utility
292 to pay the utility project charge regardless of whether the
293 customer has an agreement to receive water or wastewater service
294 from a person other than the publicly owned utility;

295 c. Require that the utility project charge be charged
296 separately from other charges on the bill of customers of the
297 publicly owned utility in the class or classes of customers
298 specified in the financing resolution; and

299 d. Require that the authority enter into a servicing
300 agreement with the local agency or its publicly owned utility to
301 collect the utility project charge.

302 2. The authority may require in the financing resolution
303 that, in the event of a default by the local agency or its
304 publicly owned utility with respect to revenues from the utility
305 project property, the authority, upon application by the
306 beneficiaries of the statutory lien as set forth in subsection
307 (6), shall order the sequestration and payment to the
308 beneficiaries of revenues arising from utility project property.
309 This subparagraph does not limit any other remedies available to
310 the beneficiaries by reason of default.

311 (c) An authority has all the powers provided in this
312 section and s. 163.01(7)(g), Florida Statutes.



ENROLLED

CS/HB 347, Engrossed 1

2016 Legislature

313 (d) Each authority may work with local agencies that
314 request assistance to determine the most cost-effective manner
315 of financing regional water projects. If the entities determine
316 that the issuance of utility cost containment bonds will result
317 in lower financing costs for a project, the authority may
318 cooperate with such local agencies and, if requested by the
319 local agencies, issue utility cost containment bonds as provided
320 in this section.

321 (5) UTILITY PROJECT CHARGE.—

322 (a) The authority shall impose a sufficient utility
323 project charge, based on estimates of water or wastewater
324 service usage, to ensure timely payment of all financing costs
325 with respect to utility cost containment bonds. The local agency
326 or its publicly owned utility shall provide the authority with
327 information concerning the publicly owned utility which may be
328 required by the authority in establishing the utility project
329 charge.

330 (b) The utility project charge is a nonbypassable charge
331 to all present and future customers of the publicly owned
332 utility in the class or classes of customers specified in the
333 financing resolution upon its adoption. If the regulatory
334 structure for the water or wastewater industry changes in a
335 manner that authorizes a customer to choose to take service from
336 an alternative supplier and the customer chooses an alternative
337 supplier, the customer remains liable for paying the utility
338 project charge if the customer continues to receive any service



ENROLLED

CS/HB 347, Engrossed 1

2016 Legislature

339 from the publicly owned utility for the transmission,
340 distribution, processing, delivery, or metering of the
341 underlying water or wastewater service.

342 (c) The authority shall determine at least annually and at
343 such additional intervals as provided in the financing
344 resolution and documents related to the applicable utility cost
345 containment bonds whether adjustments to the utility project
346 charge are required. The authority shall use the adjustment to
347 correct for any overcollection or undercollection of financing
348 costs from the utility project charge or to make any other
349 adjustment necessary to ensure the timely payment of the
350 financing costs of the utility cost containment bonds, including
351 adjustment of the utility project charge to pay any debt service
352 coverage requirement for the utility cost containment bonds. The
353 local agency or its publicly owned utility shall provide the
354 authority with information concerning the publicly owned utility
355 which may be required by the authority in adjusting the utility
356 project charge.

357 1. If the authority determines that an adjustment to the
358 utility project charge is required, the adjustment must be made
359 using the methodology specified in the financing resolution.

360 2. The adjustment may not impose the utility project
361 charge on a class of customers which was not subject to the
362 utility project charge pursuant to the financing resolution
363 imposing the utility project charge.

364 (d) Revenues from a utility project charge are special



ENROLLED

CS/HB 347, Engrossed 1

2016 Legislature

365 revenues of the authority and do not constitute revenue of the
366 local agency or its publicly owned utility for any purpose,
367 including any dedication, commitment, or pledge of revenue,
368 receipts, or other income that the local agency or its publicly
369 owned utility has made or will make for the security of any of
370 its obligations.

371 (e) The local agency or its publicly owned utility shall
372 act as a servicing agent for collecting the utility project
373 charge throughout the duration of the servicing agreement
374 required by the financing resolution. The local agency or its
375 publicly owned utility shall hold the money collected in trust
376 for the exclusive benefit of the persons entitled to have the
377 financing costs paid from the utility project charge, and the
378 money does not lose its designation as revenues of the authority
379 by virtue of possession by the local agency or its publicly
380 owned utility.

381 (f) The customer must make timely and complete payment of
382 all utility project charges as a condition of receiving water or
383 wastewater service from the publicly owned utility. The local
384 agency or its publicly owned utility may use its established
385 collection policies and remedies provided under law to enforce
386 collection of the utility project charge. A customer liable for
387 a utility project charge may not withhold payment, in whole or
388 in part, thereof.

389 (g) The pledge of a utility project charge to secure
390 payment of utility cost containment bonds is irrevocable, and



ENROLLED

CS/HB 347, Engrossed 1

2016 Legislature

391 the state, or any other entity, may not reduce, impair, or
392 otherwise adjust the utility project charge, except that the
393 authority shall implement the periodic adjustments to the
394 utility project charge as provided under this subsection.

395 (6) UTILITY PROJECT PROPERTY.—

396 (a) A utility project charge constitutes utility project
397 property on the effective date of the financing resolution
398 authorizing such utility project charge. Utility project
399 property constitutes property, including contracts for securing
400 utility cost containment bonds, regardless of whether the
401 revenues and proceeds arising with respect to the utility
402 project property have accrued. Utility project property shall
403 continuously exist as property for all purposes with all of the
404 rights and privileges of this section through the end of the
405 period provided in the financing resolution or until all
406 financing costs with respect to the related utility cost
407 containment bonds are paid in full, whichever occurs first.

408 (b) Upon the effective date of the financing resolution,
409 the utility project property is subject to a first-priority
410 statutory lien to secure the payment of the utility cost
411 containment bonds.

412 1. The lien secures the payment of all financing costs
413 then existing or subsequently arising to the holders of the
414 utility cost containment bonds, the trustees or representatives
415 of the holders of the utility cost containment bonds, and any
416 other entity specified in the financing resolution or the



ENROLLED

CS/HB 347, Engrossed 1

2016 Legislature

417 documents relating to the utility cost containment bonds.

418 2. The lien attaches to the utility project property
419 regardless of the current ownership of the utility project
420 property, including any local agency or its publicly owned
421 utility, the authority, or any other person.

422 3. Upon the effective date of the financing resolution,
423 the lien is valid and enforceable against the owner of the
424 utility project property and all third parties, and additional
425 public notice is not required.

426 4. The lien is a continuously perfected lien on all
427 revenues and proceeds generated from the utility project
428 property regardless of whether the revenues or proceeds have
429 accrued.

430 (c) All revenues with respect to utility project property
431 related to utility cost containment bonds, including payments of
432 the utility project charge, shall be applied first to the
433 payment of the financing costs of the utility cost containment
434 bonds then due, including the funding of reserves for the
435 utility cost containment bonds. Any excess revenues shall be
436 applied as determined by the authority for the benefit of the
437 utility for which the utility cost containment bonds were
438 issued.

439 (7) UTILITY COST CONTAINMENT BONDS.—

440 (a) Utility cost containment bonds shall be issued within
441 the parameters of the financing provided by the authority
442 pursuant to this section. The proceeds of the utility cost



ENROLLED

CS/HB 347, Engrossed 1

2016 Legislature

443 containment bonds made available to the local agency or its
444 publicly owned utility shall be used for the utility project
445 identified in the application for financing of the utility
446 project or used to refinance indebtedness of the local agency
447 which financed or refinanced utility projects.

448 (b) Utility cost containment bonds shall be issued as set
449 forth in this section and s. 163.01(7)(g)8., Florida Statutes,
450 and may be validated pursuant to s. 163.01(7)(g)9., Florida
451 Statutes.

452 (c) The authority shall pledge the utility project
453 property as security for the payment of the utility cost
454 containment bonds. All rights of an authority with respect to
455 utility project property pledged as security for the payment of
456 utility cost containment bonds shall be for the benefit of, and
457 enforceable by, the beneficiaries of the pledge to the extent
458 provided in the financing documents relating to the utility cost
459 containment bonds.

460 1. If utility project property is pledged as security for
461 the payment of utility cost containment bonds, the local agency
462 or its publicly owned utility shall enter into a contract with
463 the authority which requires, at a minimum, that the publicly
464 owned utility:

465 a. Continue to operate its publicly owned utility,
466 including the utility project that is being financed or
467 refinanced;

468 b. Collect the utility project charge from customers for



ENROLLED

CS/HB 347, Engrossed 1

2016 Legislature

469 the benefit and account of the authority and the beneficiaries
470 of the pledge of the utility project charge; and

471 c. Separately account for and remit revenue from the
472 utility project charge to, or for the account of, the authority.

473 2. The pledge of a utility project charge to secure
474 payment of utility cost containment bonds is irrevocable, and
475 the state or any other entity may not reduce, impair, or
476 otherwise adjust the utility project charge, except that the
477 authority shall implement periodic adjustments to the utility
478 project charge as provided under subsection (5).

479 (d) Utility cost containment bonds shall be nonrecourse to
480 the credit or any assets of the local agency or the publicly
481 owned utility but are payable from, and secured by, a pledge of
482 the utility project property relating to the utility cost
483 containment bonds and any additional security or credit
484 enhancement specified in the documents relating to the utility
485 cost containment bonds. If, pursuant to subsection (4), the
486 authority is financing the project through a single-purpose
487 limited liability company, the utility cost containment bonds
488 shall be payable from, and secured by, a pledge of amounts paid
489 by the company to the authority from the applicable utility
490 project property. This paragraph is the exclusive method of
491 perfecting a pledge of utility project property by the company
492 securing the payment of financing costs under any agreement of
493 the company in connection with the issuance of utility cost
494 containment bonds.



ENROLLED

CS/HB 347, Engrossed 1

2016 Legislature

495 (e) The issuance of utility cost containment bonds does
496 not obligate the state or any political subdivision thereof to
497 levy or to pledge any form of taxation to pay the utility cost
498 containment bonds or to make any appropriation for their
499 payment. Each utility cost containment bond must contain on its
500 face a statement in substantially the following form:

501
502 "Neither the full faith and credit nor the taxing power of the
503 State of Florida or any political subdivision thereof is pledged
504 to the payment of the principal of, or interest on, this bond."

505
506 (f) Notwithstanding any other law or this section, a
507 financing resolution or other resolution of the authority, or
508 documents relating to utility cost containment bonds, the
509 authority may not rescind, alter, or amend any resolution or
510 document that pledges utility cost charges for payment of
511 utility cost containment bonds.

512 (g) Subject to the terms of any pledge document created
513 under this section, the validity and relative priority of a
514 pledge is not defeated or adversely affected by the commingling
515 of revenues generated by the utility project property with other
516 funds of the local agency or the publicly owned utility
517 collecting a utility project charge on behalf of an authority.

518 (h) Financing costs in connection with utility cost
519 containment bonds are a special obligation of the authority and
520 do not constitute a liability of the state or any political



ENROLLED

CS/HB 347, Engrossed 1

2016 Legislature

521 subdivision thereof. Financing costs are not a pledge of the
522 full faith and credit of the state or any political subdivision
523 thereof, including the authority, but are payable solely from
524 the funds identified in the documents relating to the utility
525 cost containment bonds. This paragraph does not preclude
526 guarantees or credit enhancements in connection with utility
527 cost containment bonds.

528 (i) Except as otherwise provided in this section with
529 respect to adjustments to a utility project charge, the recovery
530 of the financing costs for the utility cost containment bonds
531 from the utility project charge is irrevocable, and the
532 authority does not have the power, by rescinding, altering, or
533 amending the applicable financing resolution, to revalue or
534 revise for ratemaking purposes the financing costs of utility
535 cost containment bonds; to determine that the financing costs
536 for the related utility cost containment bonds or the utility
537 project charge is unjust or unreasonable; or to in any way,
538 either directly or indirectly, reduce or impair the value of
539 utility project property that includes the utility project
540 charge. The amount of revenues arising with respect to the
541 financing costs for the related utility cost containment bonds
542 or the utility project charge is not subject to reduction,
543 impairment, postponement, or termination for any reason until
544 all financing costs to be paid from the utility project charge
545 are fully met and discharged.

546 (j) Except as provided in subsection (5) with respect to



ENROLLED

CS/HB 347, Engrossed 1

2016 Legislature

547 adjustments to a utility project charge, the state pledges and
548 agrees with the owners of utility cost containment bonds that
549 the state may not limit or alter the financing costs or the
550 utility project property, including the utility project charge,
551 relating to the utility cost containment bonds, or any rights
552 related to the utility project property, until all financing
553 costs with respect to the utility cost containment bonds are
554 fully met and discharged. This paragraph does not preclude
555 limitation or alteration if adequate provision is made by law to
556 protect the owners. The authority may include the state's pledge
557 in the governing documents for utility cost containment bonds.

558 (8) LIMITATION ON DEBT RELIEF.—Notwithstanding any other
559 law, an authority that issued utility cost containment bonds may
560 not, and a governmental officer or organization may not
561 authorize the authority to, become a debtor under the United
562 States Bankruptcy Code or become the subject of any similar case
563 or proceeding under any other state or federal law if any
564 payment obligation from utility project property remains with
565 respect to the utility cost containment bonds.

566 (9) CONSTRUCTION.—This section and all grants of power and
567 authority in this section shall be liberally construed to
568 effectuate their purposes. All incidental powers necessary to
569 carry this section into effect are expressly granted to, and
570 conferred upon, public entities.

571 Section 2. This act shall take effect July 1, 2016.