

35A-8-417 Bonds to be authorized by resolution -- Form -- Sale -- Negotiability -- Validity presumed.

- (1) Bonds of an authority are authorized by resolution, may be issued in one or more series, and shall as provided by the resolution or its trust indenture:
 - (a) bear dates, including maturity dates;
 - (b) bear interest rates;
 - (c) be in denominations;
 - (d) be either coupon or registered;
 - (e) carry conversion or registration privileges;
 - (f) have rank or priority;
 - (g) be executed;
 - (h) be payable; and
 - (i) be subject to terms of redemption with or without premium.
- (2)
 - (a) The bonds may bear interest at a variable interest rate as provided by the resolution.
 - (b) The resolution may establish a method, formula, or index to determine the current interest rate on the bonds.
- (3) In connection with the bonds, the authority may authorize and enter into agreements or other arrangements with financial, banking, and other institutions for:
 - (a) letters of credit;
 - (b) standby letters of credit;
 - (c) surety bonds;
 - (d) reimbursement agreements;
 - (e) remarketing agreements;
 - (f) indexing agreements;
 - (g) tender agent agreements; and
 - (h) other agreements with respect to:
 - (i) securing the bonds;
 - (ii) enhancing the marketability and creditworthiness of the bonds;
 - (iii) determining a variable interest rate on the bonds; and
 - (iv) the payment from any legally available source, including proceeds of the bonds, fees, charges, or other amounts coming due from the agreements.
- (4) As provided by resolution, the bonds may be sold at a public or private sale at par value, in excess of par value, or below par value.
- (5) If a member or an officer of an authority whose signature appears on a bond or coupon ceases to be a member or an officer before the delivery of the bond or coupon, the signature is valid and sufficient for all purposes.
- (6) A bond issued under this part is fully negotiable.
- (7) In a suit, action, or proceeding involving the validity or enforceability of a bond of an authority or the security for it, a bond reciting in substance that it has been issued by the authority to aid in financing a project is conclusively considered to have been issued for that purpose, and the project is conclusively considered to have been planned, located, and carried out in accordance with this part.

Renumbered and Amended by Chapter 212, 2012 General Session