

Effective 7/1/2015

63H-7a-703 Bonds and other obligations -- Additional powers of the authority.

In connection with the issuance of bonds or the incurring of obligations under leases, and in order to secure the payment of bonds or obligations, the authority, in addition to its other powers, may:

- (1) pledge all or any part of its gross or net rents, fees, or revenues to which its right then exists or may accrue in the future;
- (2) mortgage all or any part of its real or personal property owned or acquired in the future;
- (3) covenant against:
 - (a) pledging all or any part of its rents, fees, and revenues;
 - (b) mortgaging all or any part of its real or personal property to which its right or title then exists or accrues in the future;
 - (c) permitting any lien on its revenues or property;
 - (d) extending the time for the payment of its bonds or interest on them;
 - (e) the use and disposition of the money held in the funds in Subsection (7); and
 - (f) the use, maintenance, and replacement of any or all of its real or personal property;
- (4) covenant as to:
 - (a) bonds to be issued;
 - (b) the issuance of bonds in escrow or otherwise;
 - (c) the use and disposition of the bond proceeds;
 - (d) the insurance to be carried on the property in Subsection (3)(f) and the use and disposition of insurance money; and
 - (e) the rights, liabilities, powers, and duties arising upon its breach of any covenant, condition, or obligation;
- (5) provide for the replacement of lost, destroyed, or mutilated bonds;
- (6) covenant for the redemption of the bonds and provide the terms and conditions for their redemption;
- (7) create or authorize the creation of special funds for money held for construction or operating costs, debt service, reserves, or other purposes;
- (8) prescribe the procedure, if any, by which the terms of any contract with bondholders may be amended or abrogated, the number of bondholders of outstanding bonds which must consent to the action, and the manner in which consent shall be given;
- (9) covenant and prescribe as to events of default and terms and conditions upon which any or all of its bonds or obligations shall become or may be declared due before maturity, and as to the terms and conditions upon which such declaration and its consequences may be waived;
- (10) vest in any obligee of the authority or any specified proportion of them the right:
 - (a) to enforce the payment of bonds or any covenants securing or relating to the bonds;
 - (b) after default by the authority to:
 - (i) take possession of and use, operate, and manage any facilities or any part of it or any funds connected with the facilities and funds, and collect the revenues arising from them; and
 - (ii) dispose of the facilities and funds in accordance with the agreement with the authority;
- (11) provide the:
 - (a) powers and duties of an obligee and limit the obligee's liabilities; and
 - (b) terms and conditions upon which the obligees may enforce any covenant or rights securing or relating to the bonds;
- (12) exercise all or any part or combination of the powers granted in this chapter;
- (13) perform any acts necessary, convenient, or desirable to secure its bonds; and
- (14) make any covenants or perform any acts calculated to make the bonds more marketable.

Renumbered and Amended by Chapter 411, 2015 General Session