

**58.440 Refinancing at higher rate than that of original issue.**

If any public body shall determine:

- (1) That financing of a public project may be accomplished to the best advantage in the public interest only by combining the same with refinancing of previously issued and outstanding public obligations at a rate or rates of interest higher than the rate or rates otherwise applicable thereto;
- (2) That refinancing of a public project at a higher interest rate or rates is necessary in order to prevent or anticipate default in payment of interest or principal of public obligations with regard thereto; or
- (3) That any combination of the circumstances described in subsection (1) or (2) of this section exists;

then such refinancing is recognized to be lawful; provided, however, that prior to any such refinancing at a higher rate or rates of interest, the issuing public body shall make and spread at large upon its public records its determination that such action is necessary or desirable in the public interest, and its reasons therefor.

**Effective:** July 13, 1990

**History:** Repealed and reenacted 1990 Ky. Acts ch. 476, Pt. V, sec. 294, effective July 13, 1990. -- Created 1970 Ky. Acts ch. 24, sec. 4.