

By: Gordon

To: Finance

SENATE BILL NO. 2738  
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 25-13-17, MISSISSIPPI CODE OF 1972,  
2 TO PROVIDE THAT MEMBERS OF THE HIGHWAY SAFETY PATROL RETIREMENT  
3 SYSTEM SHALL RECEIVE CREDITABLE SERVICE FOR ALL ACTIVE DUTY  
4 MILITARY SERVICE, NOT JUST MILITARY SERVICE DURING TIME OF WAR OR  
5 MILITARY CONFLICT; AND FOR RELATED PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 SECTION 1. Section 25-13-17, Mississippi Code of 1972, is  
8 amended as follows:

9 25-13-17. All persons who are covered under the terms of  
10 this chapter on the date on which this retirement system is  
11 established and who become members of the retirement system shall  
12 cease to be members under the provisions of Sections 25-11-101  
13 through 25-11-139 upon the effective date of this chapter, and  
14 shall become members of this retirement system with full credit  
15 for all prior service with the Highway Safety Patrol.

16 In computing the period of service of a member of the Highway  
17 Safety Patrol, anything in this chapter to the contrary  
18 notwithstanding, any member who served on active duty in the Armed  
19 Forces of the United States, \* \* \* or who served in maritime  
20 service during periods of hostility in World War II, shall be  
21 entitled to creditable service for his service on active duty in  
22 the Armed Forces or in such maritime service, provided he entered  
23 state service after his discharge from the Armed Forces or entered  
24 state service after he completed such maritime service. The  
25 maximum period for such creditable service for all military  
26 service shall not \* \* \* exceed four (4) years unless \* \* \*  
27 positive proof can be furnished by such person that he was

28 retained in the Armed Forces during World War II or in maritime  
29 service during World War II, by causes beyond his control and  
30 without opportunity of discharge. The member shall furnish proof  
31 satisfactory to the Board of Trustees of the Public Employees'  
32 Retirement System of certification of military service or maritime  
33 service records showing dates of entrance into active duty service  
34 and the date of discharge. No creditable service shall be granted  
35 for any military service or maritime service to a member who  
36 qualifies for a retirement allowance in another public retirement  
37 system administered by the Board of Trustees of the Public  
38 Employees' Retirement System based in whole or in part on such  
39 military or maritime service. In no case shall the member receive  
40 creditable service if the member received a dishonorable discharge  
41 from the Armed Forces of the United States.

42 The credit for military service granted in this section shall  
43 apply to all persons who have retired from the Highway Patrol and  
44 who qualify for credit as outlined above, whether they retired  
45 before or after July 1, 2000; but this provision shall not operate  
46 to require any back payments of retirement.

47 SECTION 2. This act shall take effect and be in force from  
48 and after July 1, 2000.