

*****Adopted*****

AMENDMENT No. 1 PROPOSED TO

Senate Bill NO. 2009

By Representative(s) Committee

13 **Amend by striking all after the enacting clause and inserting**
14 **in lieu thereof the following:**

15
16 SECTION 1. Section 25-13-11, Mississippi Code of 1972, is
17 amended as follows:

18 25-13-11. Any member upon withdrawal from service, upon or
19 after attainment of the age of fifty-five (55) years, who shall
20 have completed at least five (5) years of creditable service, or
21 any member upon withdrawal from service upon or after attainment
22 of the age of forty-five (45) years, who shall have completed at
23 least twenty (20) years of creditable service, or any member upon
24 withdrawal from service, regardless of age, who shall have
25 completed at least twenty-five (25) years of creditable service,
26 shall be entitled to receive a retirement allowance which shall be
27 payable the first of the month following receipt of the member's
28 application in the office of the Executive Director of the Public
29 Employees' Retirement System, but in no event before withdrawal
30 from service.

31 Any member whose withdrawal from service occurs prior to
32 attaining the age of fifty-five (55) years, who shall have
33 completed more than five (5) years of creditable service and shall
34 not have received a refund of the member's accumulated
35 contributions, shall be entitled to receive a retirement allowance

beginning upon his attaining the age of fifty-five (55) years of the amount earned and accrued at the date of withdrawal from service.

The annual amount of the retirement allowance shall consist of:

(a) A member's annuity, which shall be the actuarial equivalent of the accumulated contributions of the member at the time of retirement, computed according to the actuarial table in use by the system.

(b) An employer's annuity which, together with the member's annuity provided above, shall be equal to two and one-half percent (2-1/2%) of the average compensation, based on the four (4) highest consecutive years, for each year of membership service.

(c) A prior service annuity equal to two and one-half percent (2-1/2%) of the average compensation, based on the four (4) highest consecutive years, for each year of prior service for which the member is allowed credit.

(d) In the case of retirement of any member prior to attaining the age of fifty-five (55) years, the retirement allowance shall be computed in accordance with the formula hereinabove set forth in this section, except that the employer's annuity and prior service annuity above described shall be reduced three percent (3%) for each year of age below fifty-five (55) years, or three percent (3%) for each year of service below twenty-five (25) years of creditable service, whichever is lesser.

(e) Upon retiring from service, a member shall be eligible to obtain retirement benefits, as computed above, for life, except that the aggregate amount of the employer's annuity and prior service annuity above described shall not exceed more than one hundred percent (100%) of the average compensation regardless of the years of service.

(f) Any member in the service who shall have attained the age of sixty (60) years shall be retired forthwith. However, any member who has attained age sixty (60) may ask the

Commissioner of Public Safety to allow him to continue in service with the Mississippi Highway Safety Patrol beyond age sixty (60). If the commissioner determines that the member's continuance in service would be advantageous to the Highway Safety Patrol because of his expert knowledge, experience or qualifications, the member shall be allowed to continue in service beyond age sixty (60) for a period of one (1) year. After the initial one-year continuance, the commissioner may authorize the member to continue in service for additional periods of one (1) year until the member attains age sixty-five (65), at which time retirement shall be mandatory.

(g) Notwithstanding any provision of this chapter pertaining to the Mississippi Highway Safety Patrol Retirement System, no payments may be made for a retirement allowance on a monthly basis for a period of time in excess of that allowed by any applicable federal law.

(h) In no case shall any retired member who has completed at least fifteen (15) years of creditable service receive less than Five Hundred Dollars (\$500.00) per month; in no case shall any retired member who has completed ten (10) or more years of creditable service, but less than fifteen (15) years of creditable service, receive less than Three Hundred Dollars (\$300.00) per month; and in no case shall any retired member who has completed less than ten (10) years of creditable service receive less than Two Hundred Fifty Dollars (\$250.00) per month. In no case shall a beneficiary who is receiving a retirement allowance receive less than Two Hundred Fifty Dollars (\$250.00) per month or Three Thousand Dollars (\$3,000.00) per year.

(i) Any retired member who is receiving a retirement allowance on July 1, 1999, shall receive an ad hoc increase in the annual retirement allowance equal to Three Dollars and Fifty Cents (\$3.50) per month for each full fiscal year through June 30, 1999, that the member has actually drawn retirement payments from the date of retirement, or the date of last retirement if there is more than one (1) retirement date, plus an amount equal to One Dollar (\$1.00) per month for each full year of creditable service

106 and proportionately for each quarter year of creditable service,
107 as documented by the system and on which benefits are being paid.
108 If there are multiple beneficiaries receiving a retirement
109 allowance from a deceased member's account, the ad hoc increase
110 shall be divided proportionately.

111 SECTION 2. This act shall take effect and be in force from
112 and after January 1, 2000.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTION 25-13-11, MISSISSIPPI CODE OF 1972,
2 TO ALLOW MEMBERS OF THE MISSISSIPPI HIGHWAY SAFETY PATROL
3 RETIREMENT SYSTEM TO CONTINUE IN SERVICE WITH THE MISSISSIPPI
4 HIGHWAY SAFETY PATROL BEYOND AGE 60 FOR PERIODS OF ONE YEAR UNTIL
5 AGE 65, IF THE COMMISSIONER OF PUBLIC SAFETY DETERMINES THAT THE
6 MEMBER'S CONTINUANCE IN SERVICE WOULD BE ADVANTAGEOUS TO THE
7 HIGHWAY PATROL BECAUSE OF HIS EXPERT KNOWLEDGE, EXPERIENCE OR
8 QUALIFICATIONS; TO INCREASE THE MAXIMUM AMOUNT OF RETIREMENT
9 BENEFITS THAT A MEMBER OF THE MISSISSIPPI HIGHWAY SAFETY PATROL
10 RETIREMENT SYSTEM MAY RECEIVE FROM 85% OF THE AVERAGE COMPENSATION
11 TO 100% OF THE AVERAGE COMPENSATION; AND FOR RELATED PURPOSES.