HOUSE BILL NO. 1061

AN ACT TO AMEND SECTION 25-11-307, MISSISSIPPI CODE OF 1972, TO INCREASE THE AMOUNT OF EMPLOYEE CONTRIBUTIONS UNDER THE SUPPLEMENTAL LEGISLATIVE RETIREMENT PLAN; TO AMEND SECTION 25-11-309, MISSISSIPPI CODE OF 1972, TO INCREASE THE PERCENTAGE USED TO CALCULATE THE AMOUNT OF A RETIREMENT ALLOWANCE FROM THE SUPPLEMENTAL LEGISLATIVE RETIREMENT PLAN; TO REMOVE THE CAP ON THE AGGREGATE AMOUNT OF A RETIREMENT ALLOWANCE THAT A RETIREE MAY RECEIVE FROM THE SUPPLEMENTAL LEGISLATIVE RETIREMENT PLAN AND THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM; TO PROVIDE THAT ANY MEMBER OF THE SUPPLEMENTAL LEGISLATIVE RETIREMENT PLAN ON JULY 1, 2001, MAY ELECT NOT TO PAY THE INCREASED PERCENTAGE OF EMPLOYEE CONTRIBUTIONS AND NOT TO RECEIVE THE INCREASED PERCENTAGE OF THE RETIREMENT ALLOWANCE PROVIDED BY THIS ACT; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 25-11-307, Mississippi Code of 1972, is amended as follows:

25-11-307. (1) The Board of Trustees of the Public Employees' Retirement System of Mississippi shall act as custodian of the funds for members of the State Legislature and the President of the Senate, and shall receive to the credit of such fund all donations, bequests, appropriations, and all funds available as an employer's contribution thereto from any source whatsoever. The State Legislature shall each month deduct from the compensation of each member sixteen and seventy-six one-hundredths percent (16.76%) thereof, or three percent (3%) thereof for those persons making the election under Section 25-11-309(4), and shall pay the amount so deducted to the board of trustees to be credited to the fund for the members. The compensation of each member shall include all remuneration or amounts paid, except mileage allowance. From the funds credited to this account, the board of trustees shall pay retirement allowances, disability benefits, survivors' benefits and expenses,
and shall refund contributions as provided. The fund for the
Supplemental Legislative Retirement Plan shall be maintained as a
separate fund, separate from all other funds held by the board of
trustees and shall be used only for the payment of benefits
provided for by the plan, or amendments thereto.

(2) On account of each member there shall be paid monthly
into the fund for members of the Supplemental Legislative
Retirement Plan by the State Legislature from funds available an
amount equal to a certain percentage of the compensation of each
member to be known as the "normal contributions," and an
additional amount equal to a percentage of his compensation to be
known as the "accrued liability contribution." The percentage
rate of such contributions shall be fixed by the board of trustees
on the basis of the liabilities of the plan for the various
allowances and benefits as shown by the actuarial valuation.
Until changed by the board of trustees, the contribution rate
shall be six and one-third percent (6-1/3%) of the annual
compensation of all members, which shall include all remuneration
or amounts paid, except mileage allowance.

(3) The board of trustees is hereby authorized to deduct two
percent (2%) of all employer's contributions paid into the fund
for members of the State Legislature and the President of the
Senate to be transferred to the expense fund of the Public
Employees' Retirement System of Mississippi to defray the cost of
administering this fund.

SECTION 2. Section 25-11-309, Mississippi Code of 1972, is
amended as follows:

25-11-309. (1) The retirement allowance from the
Supplemental Legislative Retirement Plan shall consist of one
hundred percent (100%), or fifty percent (50%) for those persons
making the election under Section 25-11-309(4), of an amount equal
to the retirement allowance determined by creditable service as an
elected Senator or Representative of the State Legislature or as
President of the Senate payable by the Public Employees' Retirement System in accordance with Section 25-11-101 et seq. • • •

(2) The percentage of the retirement allowance as provided in this section shall be transferred from the annuity savings account of the member and the employer accumulation account in the Supplemental Legislative Retirement Plan to the retirement account of the member in the Public Employees' Retirement System as provided.

(3) For any person who was a member of the plan at any time on or after July 1, 1989, there is no limit on the aggregate amount of the retirement allowance from the Supplemental Legislative Retirement Plan and the Public Employees' Retirement System on legislative service or service as President of the Senate.

(4) Any member of the plan on July 1, 2001, may elect not to pay the increased percentage of employee contributions and not to receive the increased percentage of the retirement allowance provided by the amendments to Section 25-11-307 and this section in House Bill No. , 2001 Regular Session. Any member who wishes to make that election must notify the board on a form provided by the board before August 1, 2001, and the election is irrevocable once it has been made. The employee contributions and the retirement allowance of any member making the election will be based on the percentages in Section 25-11-307 and this section as they existed on June 30, 2001.

SECTION 3. This act shall take effect and be in force from and after July 1, 2001.