

By: Representatives Flaggs, Masterson

To: Local and Private  
Legislation

HOUSE BILL NO. 1579

1 AN ACT TO AMEND CHAPTER 899, LOCAL AND PRIVATE LAWS OF 1988,  
 2 AS LAST AMENDED BY CHAPTER 919, LOCAL AND PRIVATE LAWS OF 2002, TO  
 3 INCREASE THE AMOUNT OF THE MINIMUM MONTHLY BENEFITS AUTHORIZED FOR  
 4 PERSONS RECEIVING BENEFITS UNDER THE DISABILITY AND RELIEF FUND  
 5 FOR FIREMEN AND POLICEMEN OF THE CITY OF VICKSBURG; TO PROVIDE  
 6 THAT THE CITY MUST TRANSFER SUFFICIENT ADDITIONAL FUNDS TO FUND  
 7 THE BENEFITS SO THAT THE DISABILITY AND RELIEF FUND WILL REMAIN  
 8 ACTUARIALLY SOUND; TO AMEND CHAPTER 911, LOCAL AND PRIVATE LAWS OF  
 9 1992, AS AMENDED BY CHAPTER 919, LOCAL AND PRIVATE LAWS OF 2002,  
 10 TO PROVIDE THAT THE ADDITIONAL ANNUAL PAYMENT MADE TO RETIRED  
 11 MEMBERS OF THE DISABILITY AND RELIEF FUND SHALL BE EQUAL TO TWO  
 12 AND ONE-HALF PERCENT OF THE ANNUAL RETIREMENT ALLOWANCE FOR EACH  
 13 FULL FISCAL YEAR AFTER JUNE 30, 1991, THAT THE RETIRED MEMBER OR  
 14 BENEFICIARY HAS ACTUALLY DRAWN RETIREMENT BENEFITS FROM THE DATE  
 15 OF RETIREMENT; TO DELETE THE PROVISION THAT TIED THE ADDITIONAL  
 16 ANNUAL PAYMENT TO THE PERCENTAGE CHANGE IN THE CONSUMER PRICE  
 17 INDEX; TO PROVIDE THAT THE ADDITIONAL ANNUAL PAYMENTS AUTHORIZED  
 18 BY THIS ACT SHALL NOT BE ESTABLISHED UNLESS THE DISABILITY AND  
 19 RELIEF FUND CURRENTLY IS ACTUARIALLY SOUND AND WILL REMAIN  
 20 ACTUARIALLY SOUND IF THE ADDITIONAL ANNUAL PAYMENTS ARE MADE; AND  
 21 FOR RELATED PURPOSES.

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

23 **SECTION 1.** Chapter 899, Local and Private Laws of 1988, as  
 24 amended by Chapter 857, Local and Private Laws of 1992, as amended  
 25 by Chapter 904, Local and Private Laws of 2000, as amended by  
 26 Chapter 919, Local and Private Laws of 2002, is amended as  
 27 follows:

28 Section 1. The governing authorities of the City of  
 29 Vicksburg, Mississippi, may, in their discretion, appropriate and  
 30 transfer annually from the general fund of the city to the  
 31 Disability and Relief Fund for Firemen and Policemen of the city  
 32 sufficient additional funds to provide for the payment of minimum  
 33 monthly benefits of not less than One Thousand Dollars (\$1,000.00)  
 34 per month to all persons now or hereafter entitled to receive  
 35 benefits under any provision of Section 21-29-101 et seq.,  
 36 Mississippi Code of 1972, by virtue of service as a member of the



37 fire and/or police department of the City of Vicksburg. When the  
38 governing authorities of the City of Vicksburg, by resolution duly  
39 adopted and entered on their minutes, have transferred sufficient  
40 additional funds to fund those minimum monthly benefits so that  
41 the Disability and Relief Fund will remain actuarially sound, as  
42 determined by the Board of Trustees of the Public Employees'  
43 Retirement System of Mississippi, then the board of trustees shall  
44 pay the minimum monthly payments to the persons authorized and  
45 entitled to receive the benefits.

46 **SECTION 2.** Chapter 911, Local and Private Laws of 1992, as  
47 amended by Chapter 919, Local and Private Laws of 2002, is amended  
48 as follows:

49 Section 1. (1) Subject to the provisions of subsection (2)  
50 of this section, the governing authorities of the City of  
51 Vicksburg, Mississippi, may, in their discretion, \* \* \* establish  
52 the payment of one (1) additional payment each year from monies  
53 accumulated in the Disability and Relief Fund for Firemen and  
54 Policemen of the city to retired members of the disability and  
55 relief fund, or beneficiaries thereof, who on December 1 of each  
56 year are receiving a retirement allowance under Article 3, Chapter  
57 29, Title 21, Mississippi Code of 1972. The amount of the payment  
58 shall be equal to \* \* \* two and one-half percent (2-1/2%) of the  
59 annual retirement allowance for each full fiscal year after June  
60 30, 1991, \* \* \* that the retired member or beneficiary has  
61 actually drawn retirement payments from the date of  
62 retirement \* \* \*.

63 (2) Payment of the additional payments authorized under  
64 subsection (1) of this section shall not be established unless the  
65 Disability and Relief Fund for Firemen and Policemen of the City  
66 of Vicksburg is actuarially sound, as shown by the most recent  
67 actuarial study required by Section 21-29-119, Mississippi Code of  
68 1972, and unless the fund will remain actuarially sound if the  
69 additional payments authorized under subsection (1) of this



70 section are made, as shown by a certified statement from the  
71 actuarial firm that prepared the most recent actuarial study.

72 (3) After the governing authorities of the City of Vicksburg  
73 have adopted a resolution to establish the additional payments  
74 authorized under subsection (1) of this section and the advisory  
75 board provided for in Section 21-29-105, Mississippi Code of 1972,  
76 has adopted a resolution supporting the establishment of the  
77 additional payments, and after the Board of Trustees of the Public  
78 Employees' Retirement System has received these resolutions and  
79 received the most recent actuarial study of the disability and  
80 relief fund and the certified statement from the actuarial firm  
81 that the fund will remain actuarially sound if the additional  
82 payments are made, then the board of trustees shall make the  
83 payments directly to the persons authorized and entitled to  
84 receive the payments.

85 (4) Persons eligible to receive the payments authorized  
86 under this section shall receive the payments in one (1)  
87 additional payment, except that any such person may elect by an  
88 irrevocable agreement on a form prescribed by the Board of  
89 Trustees of the Public Employees' Retirement System to receive the  
90 payments in not less than equal monthly installments not to exceed  
91 six (6) months during the remaining months of the current fiscal  
92 year. In the event of death of a person or a beneficiary thereof  
93 receiving monthly benefits, any remaining amounts shall be paid in  
94 a lump sum to the designated beneficiary.

95 **SECTION 3.** This act shall take effect and be in force from  
96 and after its passage.

