

By: Representative Masterson

To: Local and Private
Legislation

HOUSE BILL NO. 1636

1 AN ACT TO PROVIDE THAT THE CITY OF VICKSBURG MAY AUTHORIZE
 2 SURVIVING SPOUSES WHO ARE RECEIVING SPOUSE RETIREMENT BENEFITS
 3 FROM THE DISABILITY AND RELIEF FUND FOR FIREMEN AND POLICEMEN OF
 4 THE CITY TO CONTINUE TO RECEIVE THOSE BENEFITS FOR LIFE, EVEN
 5 AFTER REMARRIAGE, AND AUTHORIZE SURVIVING SPOUSES WHO RECEIVED
 6 SPOUSE RETIREMENT BENEFITS FROM THE DISABILITY AND RELIEF FUND
 7 BEFORE THE EFFECTIVE DATE OF THIS ACT AND WHOSE BENEFITS WERE
 8 TERMINATED BECAUSE OF REMARRIAGE TO AGAIN RECEIVE THOSE BENEFITS;
 9 TO PROVIDE THAT THE SPOUSE RETIREMENT BENEFITS SHALL NOT BE
 10 CONTINUED AND REINSTATED UNLESS THE DISABILITY AND RELIEF FUND IS
 11 ACTUARIALLY SOUND AND WILL REMAIN ACTUARIALLY SOUND IF THOSE
 12 BENEFITS ARE CONTINUED AND REINSTATED; AND FOR RELATED PURPOSES.

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

14 **SECTION 1.** (1) Subject to the provisions of subsections (2)
 15 and (3) of this section, the governing authorities of the City of
 16 Vicksburg, Mississippi, may:

17 (a) Authorize surviving spouses of deceased members of
 18 the Disability and Relief Fund for Firemen and Policemen of the
 19 City of Vicksburg who are receiving spouse retirement benefits
 20 under the provisions of Sections 21-29-145 and 21-29-147,
 21 Mississippi Code of 1972, to continue to receive the spouse
 22 retirement benefits for life, even if the spouse remarries; and

23 (b) Authorize surviving spouses of deceased members of
 24 the Disability and Relief Fund for Firemen and Policemen of the
 25 City of Vicksburg who received spouse retirement benefits under
 26 the provisions of Sections 21-29-145 and 21-29-147, Mississippi
 27 Code of 1972, before the effective date of this act and whose
 28 benefits were terminated because of remarriage, to again receive
 29 the spouse retirement benefits from and after making application
 30 with the Board of Trustees of the Public Employees' Retirement
 31 System to reinstate the benefits. Any reinstatement of the



32 benefits shall be prospective only from and after the first of the
33 month following the date of application for reinstatement.

34 (2) The spouse retirement benefits authorized under this
35 section shall not be continued and reinstated unless:

36 (a) The disability and relief fund is actuarially
37 sound, as shown by the most recent actuarial study required by
38 Section 21-29-119, Mississippi Code of 1972; and

39 (b) The disability and relief fund will remain
40 actuarially sound if the spouse retirement benefits are continued
41 and reinstated, as shown by a certified statement from the
42 actuarial firm that prepared the most recent actuarial study.

43 (3) The Board of Trustees of the Public Employees'
44 Retirement System shall pay the spouse retirement benefits
45 authorized in this section to the persons entitled to receive the
46 benefits, after all of the following conditions have been met:

47 (a) The governing authorities of the City of Vicksburg
48 must adopt a resolution requesting the continuation and
49 reinstatement of the spouse retirement benefits as authorized in
50 this section, and transmit the resolution to the board of
51 trustees;

52 (b) The advisory board provided for in Section
53 21-29-105, Mississippi Code of 1972, must adopt a resolution
54 supporting the continuation and reinstatement of the spouse
55 retirement benefits, and transmit the resolution to the board of
56 trustees;

57 (c) The board of trustees must receive the resolutions
58 from the governing authorities and the advisory board, and receive
59 the most recent actuarial study of the disability and relief fund
60 and the certified statement from the actuarial firm that the fund
61 will remain actuarially sound if the spouse retirement benefits
62 are continued and reinstated; and

63 (d) In the case of reinstatement of spouse retirement
64 benefits, the board of trustees must receive the required



65 application for reinstatement of the benefits from the surviving
66 spouse.

67 **SECTION 2.** This act shall take effect and be in force from
68 and after its passage.

