MISSISSIPPI LEGISLATURE
REGULAR SESSION 2003
By: Representative Shows
To: Local and Private Legislation

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1656

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF LAUREL, MISSISSIPPI, TO ESTABLISH THE PAYMENT OF AN ADDITIONAL PAYMENT EACH YEAR TO RETIRED MEMBERS OF THE CITY OF LAUREL FIRE AND POLICE DISABILITY AND RELIEF FUND WHO ARE AGE 60 OR OLDER AND BENEFICIARIES THEREOF; TO PROVIDE THAT THE AMOUNT OF THE ADDITIONAL PAYMENT WILL BE EQUAL TO TWO PERCENT COMPOUNDED BY THE NUMBER OF FULL FISCAL YEARS THAT THE RETIRED MEMBER OR BENEFICIARY HAS ACTUALLY DRAWN RETIREMENT BENEFITS, MULTIPLIED BY THE AMOUNT OF THE ANNUAL RETIREMENT ALLOWANCE, NOT TO EXCEED A TOTAL OF THREE YEARS; TO PROVIDE THAT PAYMENT OF THE ADDITIONAL PAYMENTS MAY NOT BE ESTABLISHED UNLESS THE DISABILITY AND RELIEF FUND CURRENTLY IS ACTUARILY SOUND AND WILL REMAIN ACTUARILY SOUND IF THE ADDITIONAL PAYMENTS ARE MADE; AND FOR RELATED PURPOSES.

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

SECTION 1. (1) Subject to the provisions of subsection (3) of this section, the governing authorities of the City of Laurel, Mississippi, in their discretion, are authorized to establish the payment of one (1) additional payment each year to retired members of the City of Laurel Fire and Police Disability and Relief Fund who are age sixty (60) or older, or beneficiaries thereof, who are receiving a retirement or disability allowance under any provision of Section 21-29-101 et seq., Mississippi Code of 1972, and who have received monthly retirement or disability payments for at least one (1) full fiscal year, from July 1 through June 30. The additional payments shall be made from monies accumulated in the City of Laurel Fire and Police Disability and Relief Fund. The additional payment authorized under this section shall be paid in one (1) payment on December 1, 2003, and on the first day of December in every year thereafter, except as otherwise provided by subsection (5) of this section.

(2) For members who are retired on July 1, 2003, and are age sixty (60) or older, the amount of the additional payment will be
equal to two percent (2%) compounded by the number of full fiscal
years after June 30, 2002, that the retired member or beneficiary
thereof has actually drawn retirement or disability payments,
multiplied by the amount of the annual retirement or disability
allowance, not to exceed a total of three (3) years. For all
other retired members, the amount of the additional payment will
be equal to two percent (2%) compounded by the number of full
fiscal years after the June 30 immediately preceding the retired
member's sixtieth birthday that the retired member or beneficiary
thereof has actually drawn retirement or disability payments,
multiplied by the amount of the annual retirement or disability
allowance, not to exceed a total of three (3) years. The
calculation of the beneficiary's additional payment under this
section shall be based on the retired member's age and full fiscal
years in retirement as if the retired member had lived.

(3) The additional payments authorized under this section
shall not be made unless:

(a) The City of Laurel Fire and Police Disability and
Relief Fund is actuarially sound, as shown by the most recent
actuarial study required by Section 21-29-119, Mississippi Code of
1972; and

(b) The disability and relief fund will remain
actuarially sound if the additional payments authorized under this
section are made, as shown by a certified statement from the
actuarial firm that prepared the most recent actuarial study.

(4) The Board of Trustees of the Public Employees'
Retirement System shall make the additional payments to the
persons authorized and entitled to receive the additional
payments, after all of the following conditions have been met:

(a) The governing authorities of the City of Laurel
must adopt a resolution to establish the additional payments
authorized under this section and transmit the resolution to the
board of trustees;
(b) The advisory board provided for in Section 21-29-105, Mississippi Code of 1972, must adopt a resolution supporting the establishment of the additional payments and transmit the resolution to the board of trustees; and

(c) The board of trustees must receive the resolutions from the governing authorities and advisory board, and receive the most recent actuarial study of the disability and relief fund and the certified statement from the actuarial firm that the fund will remain actuarially sound if the additional payments are made.

(5) If the City of Laurel Fire and Police Disability and Relief Fund sustains actuarial losses in future years that would make the disability and relief fund actuarially unsound if the payments authorized under this section are continued, the governing authorities of the City of Laurel shall increase the millage rate as necessary for the disability and relief fund to be actuarially sound, or shall reduce the amount of the additional payments. The additional payments shall be made each year unless the authorization for the payment is rescinded, discontinued or otherwise modified by the governing authorities of the City of Laurel.

SECTION 2. This act shall take effect and be in force from and after July 1, 2003.