

By: Representative Davis

To: Local and Private
Legislation

HOUSE BILL NO. 1658

1 AN ACT TO AMEND CHAPTER 907, LOCAL AND PRIVATE LAWS OF 1990,
2 AS LAST AMENDED BY CHAPTER 1022, LOCAL AND PRIVATE LAWS OF 1999,
3 TO PROVIDE THAT THE ADDITIONAL ANNUAL PAYMENT MADE TO RETIRED
4 MEMBERS AND BENEFICIARIES OF THE HATTIESBURG POLICE AND FIRE
5 DISABILITY AND RELIEF FUND SHALL BE 2-1/2% OF THE ANNUAL
6 RETIREMENT ALLOWANCE FOR EACH FULL FISCAL YEAR AFTER JUNE 30,
7 1990, THAT THE RETIRED MEMBER OR BENEFICIARY HAS ACTUALLY DRAWN
8 RETIREMENT BENEFITS; TO DELETE THE PROVISION THAT THE ADDITIONAL
9 ANNUAL PAYMENT WILL BE EQUAL TO THE ANNUAL PERCENTAGE CHANGE IN
10 THE CONSUMER PRICE INDEX; AND FOR RELATED PURPOSES.

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

12 **SECTION 1.** Chapter 907, Local and Private Laws of 1990, as
13 amended by Chapter 833, Local and Private Laws of 1991, as amended
14 by Chapter 833, Local and Private Laws of 1992, as amended by
15 Chapter 1012, Local and Private Laws of 1994, as amended by
16 Chapter 1022, Local and Private Laws of 1999, is amended as
17 follows:

18 Section 1. (1) Subject to the provisions of subsection (2)
19 of this section, the governing authorities of the City of
20 Hattiesburg, Mississippi, in their discretion, are hereby
21 authorized to establish the payment of one (1) additional payment
22 each year from monies accumulated in the Hattiesburg Police and
23 Fire Disability and Relief Fund to all retired members of such
24 disability and relief fund or beneficiaries thereof who on
25 December 1 of each year are receiving a retirement or disability
26 allowance under any provision of Section 21-29-101 et seq.,
27 Mississippi Code of 1972. The amount of such payment shall
28 be * * * two and one-half percent (2-1/2%) of the annual
29 retirement or disability allowance for each full fiscal year after
30 June 30, 1990, that the retired member or beneficiary has actually
31 drawn retirement or disability payments from the date of



32 retirement. Such additional payments shall not exceed twenty-five
33 percent (25%) of the annual retirement or disability allowance.

34 (2) Payment of the additional payments authorized under
35 subsection (1) of this section shall not be established unless the
36 Hattiesburg Police and Fire Disability and Relief Fund is
37 actuarially sound, as shown by the most recent actuarial study
38 required by Section 21-29-119, Mississippi Code of 1972, and the
39 fund will remain actuarially sound if the additional payments
40 authorized under subsection (1) of this section are made, as shown
41 by a certified statement from the actuarial firm that prepared the
42 most recent actuarial study.

43 (3) After the governing authorities of the City of
44 Hattiesburg have adopted a resolution to establish the additional
45 payments authorized under subsection (1) of this section and the
46 advisory board provided for in Section 21-29-105, Mississippi Code
47 of 1972, has adopted a resolution supporting the establishment of
48 the additional payments, and after the Board of Trustees of the
49 Public Employees' Retirement System has received these resolutions
50 and received the most recent actuarial study of the disability and
51 relief fund and the certified statement from the actuarial firm
52 that the fund will remain actuarially sound if the additional
53 payments are made, then the board of trustees shall make the
54 payments directly to the persons authorized and entitled to
55 receive the payments.

56 (4) Persons eligible to receive the payments authorized
57 under this section shall receive such payments in one (1)
58 additional payment, except that such person may elect by an
59 irrevocable agreement on a form prescribed by the Board of
60 Trustees of the Public Employees' Retirement System to receive
61 such payments in not less than equal monthly installments not to
62 exceed six (6) months during the remaining months of the current
63 fiscal year. In the event of death of a person or a beneficiary
64 thereof receiving monthly benefits, any remaining amounts shall be



65 paid in a lump sum to the designated beneficiary.

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

