

By: Representatives Davis, Watson

To: Local and Private  
Legislation

HOUSE BILL NO. 1845

1 AN ACT TO AMEND CHAPTER 962, LOCAL AND PRIVATE LAWS OF 1994,  
2 AS AMENDED BY CHAPTER 1022, LOCAL AND PRIVATE LAWS OF 1999, TO  
3 AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF HATTIESBURG TO  
4 INCREASE THE MINIMUM MONTHLY BENEFITS PAYABLE TO PERSONS RECEIVING  
5 RETIREMENT OR DISABILITY BENEFITS FROM THE HATTIESBURG POLICE AND  
6 FIRE DISABILITY AND RELIEF FUND; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Chapter 962, Local and Private Laws of 1994, as  
9 amended by Chapter 1022, Local and Private Laws of 1999, is  
10 amended as follows:

11 Section 1. (1) Subject to the provisions of subsection (2)  
12 of this section, the governing authorities of the City of  
13 Hattiesburg, Mississippi, are authorized, in their discretion, to  
14 provide for the payment of minimum monthly benefits of not less  
15 than Seven Hundred Fifty Dollars (\$750.00) per month from monies  
16 accumulated in the Hattiesburg Police and Fire Disability and  
17 Relief Fund to all persons now or hereafter entitled to receive  
18 retirement or disability benefits under any provision of Section  
19 21-29-101 et seq., Mississippi Code of 1972, by virtue of service  
20 as a member of, or through a member of, the fire and/or police  
21 department of the City of Hattiesburg. The governing authorities  
22 of the City of Hattiesburg are authorized to levy such millage as  
23 is necessary, in addition to any other tax authorized by law, to  
24 make the minimum payment provided herein and maintain the  
25 retirement fund on a sound actuarial basis. The proceeds of any  
26 such additional millage shall be excluded from the ten percent  
27 (10%) increase limitation under Section 27-39-321, Mississippi  
28 Code of 1972, for the first year of such additional levy and shall  
29 be included within such limitation in any year thereafter.

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

38           (3) After the governing authorities of the City of  
39 Hattiesburg have adopted a resolution specifying the amount of the  
40 minimum monthly benefits authorized under subsection (1) of this  
41 section, and the advisory board provided for in Section 21-29-105,  
42 Mississippi Code of 1972, has adopted a resolution supporting the  
43 payment of the specified amount of the minimum monthly benefits,  
44 and after the Board of Trustees of the Public Employees'  
45 Retirement System has received these resolutions and the most  
46 recent actuarial study of the disability and relief fund and the  
47 certified statement from the actuarial firm, pursuant to  
48 subsection (2) of this section, that the fund will remain  
49 actuarially sound if the minimum monthly benefits are paid, then  
50 the board of trustees shall pay those benefits to the persons  
51 authorized and entitled to receive the payments.

52           (4) In the event of death of a person or a beneficiary  
53 thereof receiving monthly benefits, any remaining amounts shall be  
54 paid in a lump sum to the designated beneficiary.

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