

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.