

By: Representatives Masterson, Flaggs

To: Local and Private  
Legislation

## HOUSE BILL NO. 1793

1 AN ACT TO AMEND CHAPTER 899, LOCAL AND PRIVATE LAWS OF 1988,  
2 AS LAST AMENDED BY CHAPTER 917, LOCAL AND PRIVATE LAWS OF 2003, TO  
3 INCREASE THE AMOUNT OF THE MINIMUM MONTHLY BENEFITS AUTHORIZED FOR  
4 PERSONS RECEIVING BENEFITS UNDER THE DISABILITY AND RELIEF FUND  
5 FOR FIREMEN AND POLICEMEN OF THE CITY OF VICKSBURG; TO AMEND  
6 CHAPTER 911, LOCAL AND PRIVATE LAWS OF 1992, AS LAST AMENDED BY  
7 CHAPTER 917, LOCAL AND PRIVATE LAWS OF 2003, TO PROVIDE THAT THE  
8 ADDITIONAL ANNUAL PAYMENT MADE TO RETIRED MEMBERS OF THE  
9 DISABILITY AND RELIEF FUND SHALL BE EQUAL TO THREE PERCENT OF THE  
10 ANNUAL RETIREMENT ALLOWANCE FOR EACH FULL FISCAL YEAR AFTER JUNE  
11 30, 1991, THAT THE RETIRED MEMBER OR BENEFICIARY HAS ACTUALLY  
12 DRAWN RETIREMENT BENEFITS FROM THE DATE OF RETIREMENT; AND FOR  
13 RELATED PURPOSES.

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

15 **SECTION 1.** Chapter 899, Local and Private Laws of 1988, as  
16 amended by Chapter 857, Local and Private Laws of 1992, as amended  
17 by Chapter 904, Local and Private Laws of 2000, as amended by  
18 Chapter 919, Local and Private Laws of 2002, as amended by Chapter  
19 917, Local and Private Laws of 2003, is amended as follows:

20 Section 1. The governing authorities of the City of  
21 Vicksburg, Mississippi, may, in their discretion, appropriate and  
22 transfer annually from the general fund of the city to the  
23 Disability and Relief Fund for Firemen and Policemen of the city  
24 sufficient additional funds to provide for the payment of minimum  
25 monthly benefits of not less than One Thousand One Hundred Thirty  
26 Dollars (\$1,130.00) per month to all persons now or hereafter  
27 entitled to receive benefits under any provision of Section  
28 21-29-101 et seq., Mississippi Code of 1972, by virtue of service  
29 as a member of the fire and/or police department of the City of  
30 Vicksburg. When the governing authorities of the City of  
31 Vicksburg, by resolution duly adopted and entered on their  
32 minutes, have transferred sufficient additional funds to fund

33 those minimum monthly benefits so that the Disability and Relief  
34 Fund will remain actuarially sound, as determined by the Board of  
35 Trustees of the Public Employees' Retirement System of  
36 Mississippi, then the board of trustees shall pay the minimum  
37 monthly payments to the persons authorized and entitled to receive  
38 the benefits.

39 **SECTION 2.** Chapter 911, Local and Private Laws of 1992, as  
40 amended by Chapter 919, Local and Private Laws of 2002, as amended  
41 by Chapter 917, Local and Private Laws of 2003, is amended as  
42 follows:

43 Section 1. (1) Subject to the provisions of subsection (2)  
44 of this section, the governing authorities of the City of  
45 Vicksburg, Mississippi, may, in their discretion, establish the  
46 payment of one (1) additional payment each year from monies  
47 accumulated in the Disability and Relief Fund for Firemen and  
48 Policemen of the city to retired members of the disability and  
49 relief fund, or beneficiaries thereof, who on December 1 of each  
50 year are receiving a retirement allowance under Article 3, Chapter  
51 29, Title 21, Mississippi Code of 1972. The amount of the payment  
52 shall be equal to three percent (3%) of the annual retirement  
53 allowance for each full fiscal year after June 30, 1991, that the  
54 retired member or beneficiary has actually drawn retirement  
55 payments from the date of retirement.

56 (2) Payment of the additional payments authorized under  
57 subsection (1) of this section shall not be established unless the  
58 Disability and Relief Fund for Firemen and Policemen of the City  
59 of Vicksburg is actuarially sound, as shown by the most recent  
60 actuarial study required by Section 21-29-119, Mississippi Code of  
61 1972, and unless the fund will remain actuarially sound if the  
62 additional payments authorized under subsection (1) of this  
63 section are made, as shown by a certified statement from the  
64 actuarial firm that prepared the most recent actuarial study.

65           (3) After the governing authorities of the City of Vicksburg  
66 have adopted a resolution to establish the additional payments  
67 authorized under subsection (1) of this section and the advisory  
68 board provided for in Section 21-29-105, Mississippi Code of 1972,  
69 has adopted a resolution supporting the establishment of the  
70 additional payments, and after the Board of Trustees of the Public  
71 Employees' Retirement System has received these resolutions and  
72 received the most recent actuarial study of the disability and  
73 relief fund and the certified statement from the actuarial firm  
74 that the fund will remain actuarially sound if the additional  
75 payments are made, then the board of trustees shall make the  
76 payments directly to the persons authorized and entitled to  
77 receive the payments.

78           (4) Persons eligible to receive the payments authorized  
79 under this section shall receive the payments in one (1)  
80 additional payment, except that any such person may elect by an  
81 irrevocable agreement on a form prescribed by the Board of  
82 Trustees of the Public Employees' Retirement System to receive the  
83 payments in not less than equal monthly installments not to exceed  
84 six (6) months during the remaining months of the current fiscal  
85 year. In the event of death of a person or a beneficiary thereof  
86 receiving monthly benefits, any remaining amounts shall be paid in  
87 a lump sum to the designated beneficiary.

88           **SECTION 3.** This act shall take effect and be in force from  
89 and after its passage.