

By: Representative Fleming

To: Appropriations

HOUSE BILL NO. 15

1 AN ACT TO AMEND SECTION 25-11-111, MISSISSIPPI CODE OF 1972,
 2 TO REDUCE THE NUMBER OF YEARS OF CREDITABLE SERVICE WITH WHICH A
 3 MEMBER OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM MAY RETIRE
 4 REGARDLESS OF AGE FROM TWENTY-FIVE YEARS TO TWENTY YEARS; TO AMEND
 5 SECTION 25-11-114, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE
 6 PRECEDING PROVISION; TO AMEND SECTION 25-13-11, MISSISSIPPI CODE
 7 OF 1972, TO REDUCE THE NUMBER OF YEARS OF CREDITABLE SERVICE WITH
 8 WHICH A MEMBER OF THE HIGHWAY SAFETY PATROL RETIREMENT SYSTEM MAY
 9 RETIRE REGARDLESS OF AGE FROM TWENTY-FIVE YEARS TO TWENTY YEARS;
 10 AND FOR RELATED PURPOSES.

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

12 **SECTION 1.** Section 25-11-111, Mississippi Code of 1972, is
 13 amended as follows:

14 25-11-111. (a) Any member upon withdrawal from service upon
 15 or after attainment of the age of sixty (60) years who has
 16 completed at least four (4) years of creditable service, or any
 17 member upon withdrawal from service, regardless of age, who has
 18 completed at least twenty (20) years of creditable service, shall
 19 be entitled to receive a retirement allowance, which shall begin
 20 on the first of the month following the date the member's
 21 application for the allowance is received by the board, but in no
 22 event before withdrawal from service.

23 (b) Any member whose withdrawal from service occurs before
 24 attaining the age of sixty (60) years, who has completed four (4)
 25 or more years of creditable service and has not * * * received a
 26 refund of his accumulated contributions, shall be entitled to
 27 receive a retirement allowance, beginning upon his attaining the
 28 age of sixty (60) years, of the amount earned and accrued at the
 29 date of withdrawal from service.

30 (c) Any member in service who has qualified for retirement
 31 benefits may select any optional method of settlement of

32 retirement benefits by notifying the Executive Director of the
33 Board of Trustees of the Public Employees' Retirement System in
34 writing, on a form prescribed by the board, of the option he has
35 selected and by naming the beneficiary of that option and
36 furnishing necessary proof of age. The option, once selected, may
37 be changed at any time before actual retirement or death, but upon
38 the death or retirement of the member, the optional settlement
39 shall be placed in effect upon proper notification to the
40 executive director.

41 (d) The annual amount of the retirement allowance shall
42 consist of:

43 (1) A member's annuity, which shall be the actuarial
44 equivalent of the accumulated contributions of the member at the
45 time of retirement computed according to the actuarial table in
46 use by the system; and

47 (2) An employer's annuity, which, together with the
48 member's annuity provided above, shall be equal to one and
49 seven-eighths percent (1-7/8%) of the average compensation for
50 each year of state service up to and including twenty-five (25)
51 years of membership service, and two and one-fourth percent
52 (2-1/4%) of the average compensation for each year of state
53 service exceeding twenty-five (25) years of membership service.
54 However, after the board of trustees has begun implementing the
55 changes in the computation of the retirement allowance as provided
56 in subsection (e), the employer's annuity shall be equal to:

57 (i) One and seven-eighths percent (1-7/8%) of the
58 average compensation for each year of membership service up to and
59 including the number of years specified in Column A of the table
60 in subsection (e) for the latest phase that has been implemented,
61 and

62 (ii) Two percent (2%) of the average compensation
63 for each year of membership service exceeding the number of years
64 specified in Column A of the table in subsection (e) for the

65 latest phase that has been implemented up to and including
66 twenty-five (25) years, and

67 (iii) The percentage of the average compensation
68 specified in Column B of the table in subsection (e) for the
69 latest phase that has been implemented for each year of membership
70 service exceeding twenty-five (25) years.

71 (3) A prior service annuity equal to one and
72 seven-eighths percent (1-7/8%) of the average compensation for
73 each year of state service up to and including twenty-five (25)
74 years of prior service, and two and one-fourth percent (2-1/4%) of
75 the average compensation for each year of state service exceeding
76 twenty-five (25) years of prior service for which the member is
77 allowed credit. However, after the board of trustees has begun
78 implementing the changes in the computation of the retirement
79 allowance as provided in subsection (e), the prior service annuity
80 shall be equal to:

81 (i) One and seven-eighths percent (1-7/8%) of the
82 average compensation for each year of prior service up to and
83 including the number of years specified in Column A of the table
84 in subsection (e) for the latest phase that has been implemented,
85 and

86 (ii) Two percent (2%) of the average compensation
87 for each year of prior service exceeding the number of years
88 specified in Column A of the table in subsection (e) for the
89 latest phase that has been implemented up to and including
90 twenty-five (25) years, and

91 (iii) The percentage of the average compensation
92 specified in Column B of the table in subsection (e) for the
93 latest phase that has been implemented for each year of prior
94 service exceeding twenty-five (25) years.

95 (4) Any retired member or beneficiary thereof who was
96 eligible to receive a retirement allowance before July 1, 1991,
97 and who is still receiving a retirement allowance on July 1, 1992,

98 shall receive an increase in the annual retirement allowance of
99 the retired member equal to one-eighth of one percent (1/8 of 1%)
100 of the average compensation for each year of state service in
101 excess of twenty-five (25) years of membership service up to and
102 including thirty (30) years. The maximum increase shall be
103 five-eighths of one percent (5/8 of 1%). In no case shall a
104 member who has been retired before July 1, 1987, receive less than
105 Ten Dollars (\$10.00) per month for each year of creditable service
106 and proportionately for each quarter year thereof. Persons
107 retired on or after July 1, 1987, shall receive at least Ten
108 Dollars (\$10.00) per month for each year of service and
109 proportionately for each quarter year thereof reduced for the
110 option selected. However, the Ten Dollars (\$10.00) minimum per
111 month for each year of creditable service shall not apply to a
112 retirement allowance computed under Section 25-11-114 based on a
113 percentage of the member's average compensation.

114 (5) The board shall recalculate the retirement
115 allowance of any member or the beneficiary of such a member, if
116 the member or beneficiary is eligible to receive a retirement
117 allowance before July 1, 1999, by using the criteria in paragraphs
118 (2) and (3) of this subsection (d) that provides for two and
119 one-fourth percent (2-1/4%) of the average compensation for each
120 year of service exceeding twenty-five (25) years.

121 (6) Any member upon withdrawal from service upon or
122 after attaining the age of sixty (60) years who has completed at
123 least four (4) years of creditable service, or any member upon
124 withdrawal from service regardless of age who has completed at
125 least twenty (20) years of creditable service, shall be entitled
126 to receive a retirement allowance computed in accordance with the
127 formula set forth in this section. The retirement allowance
128 otherwise payable may be converted into a retirement allowance of
129 equivalent actuarial value in such an amount that, with the
130 member's benefit under Title II of the federal Social Security

131 Act, the member will receive, so far as possible, approximately
 132 the same amount annually before and after the earliest age at
 133 which the member becomes eligible to receive a social security
 134 benefit.

135 (e) Beginning on July 1, 2000, the board of trustees shall
 136 implement changes in the computation of the amount of the annual
 137 retirement allowance, which changes shall be implemented in phases
 138 as set forth in the table in this subsection. The board of
 139 trustees shall implement the phases systematically upon July 1
 140 after the board's actuary certifies that implementation of a phase
 141 will not cause the unfunded accrued actuarial liability
 142 amortization period for the retirement system to exceed twenty-two
 143 (22) years. The board of trustees shall have the exclusive
 144 authority to set the assumptions that are used in the actuarial
 145 evaluation in accordance with Section 25-11-119(9). The board of
 146 trustees shall recalculate the retirement allowance of any retired
 147 member or beneficiary of such a member as each phase is
 148 implemented.

149 RETIREMENT ALLOWANCE COMPUTATION

150 IMPLEMENTATION TABLE

151	(A)	(B)
152	2% FOR YEARS	PERCENTAGE
153	ABOVE THIS	FOR YEARS
154	NUMBER AND	ABOVE 25
155	≤25 YEARS	YEARS
156	<hr/>	
157	Phase 1	20 years
158	Phase 2	15 years
159	Phase 3	10 years
160	Phase 4	5 years
161	Phase 5	0 years
162	Phase 6	0 years
163	Phase 7	0 years

164 Column A shows the years to which two percent (2%) is
165 applicable in computing the retirement allowance, which are all
166 the years of service exceeding the number specified in Column A
167 for the phase that has been implemented up to and including
168 twenty-five (25) years.

169 Column B shows the percentage that is applicable to the
170 number of years of service exceeding twenty-five (25) years in
171 computing the retirement allowance.

172 (f) No member, except members excluded by the Age
173 Discrimination in Employment Act Amendments of 1986 (Public Law
174 99-592), under either Article 1 or Article 3 in state service
175 shall be required to retire because of age.

176 (g) No payment on account of any benefit granted under the
177 provisions of this section shall become effective or begin to
178 accrue until January 1, 1953.

179 (h) (1) A retiree or beneficiary may, on a form prescribed
180 by and filed with the retirement system, irrevocably waive all or
181 a portion of any benefits from the retirement system to which the
182 retiree or beneficiary is entitled. The waiver shall be binding
183 on the heirs and assigns of any retiree or beneficiary and the
184 same must agree to forever hold harmless the Public Employees'
185 Retirement System of Mississippi from any claim to the waived
186 retirement benefits.

187 (2) Any waiver under this subsection shall apply only
188 to the person executing the waiver. A beneficiary shall be
189 entitled to benefits according to the option selected by the
190 member at the time of retirement. However, a beneficiary may, at
191 the option of the beneficiary, execute a waiver of benefits under
192 this subsection.

193 (3) The retirement system shall retain in the annuity
194 reserve account amounts that are not used to pay benefits because
195 of a waiver executed under this subsection.

196 (4) The board of trustees may provide rules and
197 regulations for the administration of waivers under this
198 subsection.

199 **SECTION 2.** Section 25-11-114, Mississippi Code of 1972, is
200 amended as follows:

201 25-11-114. (1) The applicable benefits provided in
202 subsections (2) and (3) of this section shall be paid to eligible
203 beneficiaries of any member who has completed four (4) or more
204 years of creditable service and who dies before retirement and who
205 has not filed a Pre-Retirement Optional Retirement Form as
206 provided in Section 25-11-111.

207 (2) (a) The member's surviving spouse who has been married
208 to the member for not less than one (1) year immediately preceding
209 his death shall receive an annuity computed in accordance with
210 paragraph (d) of this subsection (2) as if the member:

211 (i) Had retired on the date of his death with
212 entitlement to an annuity provided for in Section 25-11-111,
213 notwithstanding that he might not have attained age sixty (60) or
214 acquired twenty (20) years of creditable service; and

215 (ii) Had nominated his spouse as beneficiary.

216 (b) If, at the time of the member's death, there are no
217 dependent children, and the surviving spouse, who otherwise would
218 receive the annuity under this subsection (2), has filed with the
219 system a signed written waiver of his or her rights to the annuity
220 and that waiver was in effect at the time of the member's death, a
221 lump sum distribution of the deceased member's accumulated
222 contributions shall be refunded in accordance with Section
223 25-11-117.

224 (c) The spouse annuity shall begin on the first day of
225 the month following the date of the member's death, but in case of
226 late filing, retroactive payments will be made for a period of not
227 more than one (1) year.

228 (d) The spouse annuity shall be payable for life and
229 shall be the greater of twenty percent (20%) of the deceased
230 member's average compensation as defined in Section 25-11-103 at
231 the time of death or Fifty Dollars (\$50.00) monthly. Surviving
232 spouses of deceased members who previously received spouse
233 retirement benefits under this paragraph (d) from and after July
234 1, 1992, and whose benefits were terminated before July 1, 2004,
235 because of remarriage, may again receive the retirement benefits
236 authorized under this paragraph (d) by making application with the
237 board to reinstate those benefits. Any reinstatement of the
238 benefits shall be prospective only and shall begin after the first
239 of the month following the date of the application for
240 reinstatement, but no earlier than July 1, 2004.

241 (e) However, the spouse may elect by an irrevocable
242 agreement on a form prescribed by the board of trustees to receive
243 a monthly allowance as computed under either paragraph (d) or this
244 paragraph. The irrevocable agreement shall constitute a waiver by
245 the spouse to any current and future monthly allowance under the
246 paragraph not elected, and the waiver shall be a complete and full
247 discharge of all obligations of the retirement system under that
248 paragraph.

249 Any member who has completed four (4) or more years of
250 creditable service and who dies before retirement and leaves a
251 spouse who has been married to the member for not less than one
252 (1) year immediately preceding his death and has not exercised any
253 other option shall be deemed to have exercised Option 2 under
254 Section 25-11-115 for the benefit of his spouse, which spouse
255 shall be paid Option 2 settlement benefits under this article
256 beginning on the first of the month following the date of death,
257 but in case of late filing, retroactive payments will be made for
258 a period of not more than one (1) year. The method of calculating
259 the retirement benefits shall be on the same basis as provided in
260 Section 25-11-111(d). However, if the member dies before being

261 qualified for full unreduced benefits, then the benefits shall be
262 reduced by three percent (3%) per year for the lesser of either
263 the years of service or age required for full unreduced benefits
264 in Section 25-11-111(d).

265 (3) (a) Subject to the maximum limitation provided in this
266 paragraph, the member's dependent children each shall receive an
267 annuity of the greater of ten percent (10%) of the member's
268 average compensation as defined in Section 25-11-103 at the time
269 of the death of the member or Fifty Dollars (\$50.00) monthly;
270 however, if there are more than three (3) dependent children, each
271 dependent child shall receive an equal share of a total annuity
272 equal to thirty percent (30%) of the member's average
273 compensation, provided that the total annuity shall not be less
274 than One Hundred Fifty Dollars (\$150.00) per month for all
275 children.

276 (b) A child shall be considered to be a dependent child
277 until marriage, or the attainment of age nineteen (19), whichever
278 comes first; however, this age limitation shall be extended beyond
279 age nineteen (19), but in no event beyond the attainment of age
280 twenty-three (23), as long as the child is a student regularly
281 pursuing a full-time course of resident study or training in an
282 accredited high school, trade school, technical or vocational
283 institute, junior or community college, college, university or
284 comparable recognized educational institution duly licensed by a
285 state. A student child whose birthday falls during the school
286 year (September 1 through June 30) is considered not to reach age
287 twenty-three (23) until the July 1 following the actual
288 twenty-third birthday. A full-time course of resident study or
289 training means a day or evening noncorrespondence course that
290 includes school attendance at the rate of at least thirty-six (36)
291 weeks per academic year or other applicable period with a subject
292 load sufficient, if successfully completed, to attain the
293 educational or training objective within the period generally

294 accepted as minimum for completion, by a full-time day student, of
295 the academic or training program concerned. Any child who is
296 physically or mentally incompetent, as adjudged by either a
297 Mississippi court of competent jurisdiction or by the board, shall
298 receive benefits for as long as the incompetency exists.

299 (c) If there are more than three (3) dependent
300 children, upon a child's ceasing to be a dependent child, his
301 annuity shall terminate and there shall be a redetermination of
302 the amounts payable to any remaining dependent children.

303 (d) Annuities payable under this subsection (3) shall
304 begin the first day of the month following the date of the
305 member's death or in case of late filing, retroactive payments
306 will be made for a period of not more than one (1) year. Those
307 benefits may be paid to a surviving parent or the lawful custodian
308 of a dependent child for the use and benefit of the child without
309 the necessity of appointment as guardian.

310 (4) (a) Death benefits in the line of duty. Regardless of
311 the number of years of the member's creditable service, the spouse
312 and/or the dependent children of an active member who is killed in
313 the line of performance of duty or dies as a direct result of an
314 accident occurring in the line of performance of duty shall
315 qualify, on approval of the board, for a retirement allowance on
316 the first of the month following the date of death, but in the
317 case of late filing, retroactive payments will be made for a
318 period of not more than one (1) year. The spouse shall receive a
319 retirement allowance for life equal to one-half (1/2) of the
320 average compensation as defined in Section 25-11-103. In addition
321 to the retirement allowance for the spouse, or if there is no
322 surviving spouse, the member's dependent child shall receive a
323 retirement allowance in the amount of one-fourth (1/4) of the
324 member's average compensation as defined in Section 25-11-103;
325 however, if there are two (2) or more dependent children, each
326 dependent child shall receive an equal share of a total annuity

327 equal to one-half (1/2) of the member's average compensation. If
328 there are more than two (2) dependent children, upon a child's
329 ceasing to be a dependent child, his annuity shall terminate and
330 there shall be a redetermination of the amounts payable to any
331 remaining dependent children. Those benefits shall cease to be
332 paid for the support and maintenance of each child upon the child
333 attaining the age of nineteen (19) years; however, the spouse
334 shall continue to be eligible for the aforesaid retirement
335 allowance. Those benefits may be paid to a surviving parent or
336 lawful custodian of the children for the use and benefit of the
337 children without the necessity of appointment as guardian. Any
338 spouse who received spouse retirement benefits under this
339 paragraph (a) from and after April 4, 1984, and whose benefits
340 were terminated before July 1, 2004, because of remarriage, may
341 again receive the retirement benefits authorized under this
342 paragraph (a) by making application with the board to reinstate
343 those benefits. Any reinstatement of the benefits shall be
344 prospective only and shall begin after the first of the month
345 following the date of the application for reinstatement, but not
346 earlier than July 1, 2004.

347 (b) A child shall be considered to be a dependent child
348 until marriage, or the attainment of age nineteen (19), whichever
349 comes first; however, this age limitation shall be extended beyond
350 age nineteen (19), but in no event beyond the attainment of age
351 twenty-three (23), as long as the child is a student regularly
352 pursuing a full-time course of resident study or training in an
353 accredited high school, trade school, technical or vocational
354 institute, junior or community college, college, university or
355 comparable recognized educational institution duly licensed by a
356 state. A student child whose birthday falls during the school
357 year (September 1 through June 30) is considered not to reach age
358 twenty-three (23) until the July 1 following the actual
359 twenty-third birthday. A full-time course of resident study or

360 training means a day or evening noncorrespondence course that
361 includes school attendance at the rate of at least thirty-six (36)
362 weeks per academic year or other applicable period with a subject
363 load sufficient, if successfully completed, to attain the
364 educational or training objective within the period generally
365 accepted as minimum for completion, by a full-time day student, of
366 the academic or training program concerned. Any child who is
367 physically or mentally incompetent, as adjudged by either a
368 Mississippi court of competent jurisdiction or by the board, shall
369 receive benefits for as long as the incompetency exists.

370 (5) If all the annuities provided for in this section
371 payable on account of the death of a member terminate before there
372 has been paid an aggregate amount equal to the member's
373 accumulated contributions standing to the member's credit in the
374 annuity savings account at the time of the member's death, the
375 difference between the accumulated contributions and the aggregate
376 amount of annuity payments shall be paid to the person that the
377 member has nominated by written designation duly executed and
378 filed with the board. If there is no designated beneficiary
379 surviving at termination of benefits, the difference shall be
380 payable pursuant to Section 25-11-117.1(1).

381 (6) Regardless of the number of years of creditable service
382 upon the application of a member or employer, any active member
383 who becomes disabled as a direct result of an accident or
384 traumatic event resulting in a physical injury occurring in the
385 line of performance of duty, provided that the medical board or
386 other designated governmental agency after a medical examination
387 certifies that the member is mentally or physically incapacitated
388 for the further performance of duty and the incapacity is likely
389 to be permanent, may be retired by the board of trustees on the
390 first of the month following the date of filing the application
391 but in no event shall the retirement allowance begin before the
392 termination of state service. The retirement allowance shall

393 equal the allowance on disability retirement as provided in
394 Section 25-11-113 but shall not be less than fifty percent (50%)
395 of average compensation.

396 Permanent and total disability resulting from a
397 cardiovascular, pulmonary or musculo-skeletal condition that was
398 not a direct result of a traumatic event occurring in the
399 performance of duty shall be deemed an ordinary disability. A
400 mental disability based exclusively on employment duties occurring
401 on an ongoing basis shall be deemed an ordinary disability.

402 (7) If the deceased or disabled member has less than four
403 (4) years of creditable service, the average compensation as
404 defined in Section 25-11-103 shall be the average of all annual
405 earned compensation in state service for the purposes of benefits
406 provided in this section.

407 (8) In case of death or total and permanent disability under
408 subsection (4) or subsection (6) of this section and before the
409 board shall consider any application for a retirement allowance,
410 the employer must certify to the board that the member's death or
411 disability was a direct result of an accident or a traumatic event
412 occurring during and as a result of the performance of the regular
413 and assigned duties of the employee and that the death or
414 disability was not the result of the willful negligence of the
415 employee.

416 (9) The application for the retirement allowance must be
417 filed within one (1) year after death of an active member who is
418 killed in the line of performance of duty or dies as a direct
419 result of an accident occurring in the line of performance of duty
420 or traumatic event; but the board of trustees may consider an
421 application for disability filed after the one-year period if it
422 can be factually demonstrated to the satisfaction of the board of
423 trustees that the disability is due to the accident and that the
424 filing was not accomplished within the one-year period due to a
425 delayed manifestation of the disability or to circumstances beyond

426 the control of the member. However, in case of late filing,
427 retroactive payments will be made for a period of not more than
428 one (1) year only.

429 (10) Notwithstanding any other section of this article and
430 in lieu of any payments to a designated beneficiary for a refund
431 of contributions under Section 25-11-117, the spouse and/or
432 children shall be eligible for the benefits payable under this
433 section, and the spouse may elect, for both the spouse and/or
434 children, to receive benefits in accordance with either
435 subsections (2) and (3) or subsection (4) of this section;
436 otherwise, the contributions to the credit of the deceased member
437 shall be refunded in accordance with Section 25-11-117.

438 (11) If the member has previously received benefits from the
439 system to which he was not entitled and has not repaid in full all
440 amounts payable by him to the system, the annuity amounts
441 otherwise provided by this section shall be withheld and used to
442 effect repayment until the total of the withholdings repays in
443 full all amounts payable by him to the system.

444 **SECTION 3.** Section 25-13-11, Mississippi Code of 1972, is
445 amended as follows:

446 25-13-11. Any member upon withdrawal from service, upon or
447 after attainment of the age of fifty-five (55) years, who has
448 completed at least five (5) years of creditable service, * * * or
449 any member upon withdrawal from service, regardless of age, who
450 has completed at least twenty (20) years of creditable service,
451 shall be entitled to receive a retirement allowance, which shall
452 be payable the first of the month following receipt of the
453 member's application in the Office of the Executive Director of
454 the Public Employees' Retirement System, but in no event before
455 withdrawal from service.

456 Any member whose withdrawal from service occurs before
457 attaining the age of fifty-five (55) years, who has completed more
458 than five (5) years of creditable service and has not * * *

459 received a refund of the member's accumulated contributions, shall
460 be entitled to receive a retirement allowance, beginning upon his
461 attaining the age of fifty-five (55) years, of the amount earned
462 and accrued at the date of withdrawal from service.

463 The annual amount of the retirement allowance shall consist
464 of:

465 (a) A member's annuity, which shall be the actuarial
466 equivalent of the accumulated contributions of the member at the
467 time of retirement, computed according to the actuarial table in
468 use by the system.

469 (b) An employer's annuity, which, together with the
470 member's annuity provided above, shall be equal to two and
471 one-half percent (2-1/2%) of the average compensation, based on
472 the four (4) highest consecutive years, for each year of
473 membership service.

474 (c) A prior service annuity equal to two and one-half
475 percent (2-1/2%) of the average compensation, based on the four
476 (4) highest consecutive years, for each year of prior service for
477 which the member is allowed credit.

478 * * *

479 (d) Upon retiring from service, a member shall be
480 eligible to obtain retirement benefits, as computed above, for
481 life, except that the aggregate amount of the employer's annuity
482 and prior service annuity above described shall not exceed more
483 than one hundred percent (100%) of the average compensation
484 regardless of the years of service.

485 (e) Any member in the service who has attained the age
486 of sixty (60) years shall be retired immediately. However, any
487 member who has attained age sixty (60) may ask the Commissioner of
488 Public Safety to allow him to continue in service with the
489 Mississippi Highway Safety Patrol beyond age sixty (60). If the
490 commissioner determines that the member's continuance in service
491 would be advantageous to the Highway Safety Patrol because of his

492 expert knowledge, experience or qualifications, the member shall
493 be allowed to continue in service beyond age sixty (60) for a
494 period of one (1) year. After the initial one-year continuance,
495 the commissioner may authorize the member to continue in service
496 for additional periods of one (1) year until the member attains
497 age sixty-five (65), at which time retirement shall be mandatory.

498 (f) Notwithstanding any provision of this chapter
499 pertaining to the Mississippi Highway Safety Patrol Retirement
500 System, no payments may be made for a retirement allowance on a
501 monthly basis for a period of time in excess of that allowed by
502 any applicable federal law.

503 (g) In no case shall any retired member who has
504 completed at least fifteen (15) years of creditable service
505 receive less than Five Hundred Dollars (\$500.00) per month; in no
506 case shall any retired member who has completed ten (10) or more
507 years of creditable service, but less than fifteen (15) years of
508 creditable service, receive less than Three Hundred Dollars
509 (\$300.00) per month; and in no case shall any retired member who
510 has completed less than ten (10) years of creditable service
511 receive less than Two Hundred Fifty Dollars (\$250.00) per month.
512 In no case shall a beneficiary who is receiving a retirement
513 allowance receive less than Two Hundred Fifty Dollars (\$250.00)
514 per month or Three Thousand Dollars (\$3,000.00) per year.

515 (h) Any retired member who is receiving a retirement
516 allowance on July 1, 1999, shall receive an ad hoc increase in the
517 annual retirement allowance equal to Three Dollars and Fifty Cents
518 (\$3.50) per month for each full fiscal year through June 30, 1999,
519 that the member has actually drawn retirement payments from the
520 date of retirement, or the date of last retirement if there is
521 more than one (1) retirement date, plus an amount equal to One
522 Dollar (\$1.00) per month for each full year of creditable service
523 and proportionately for each quarter year of creditable service,
524 as documented by the system and on which benefits are being paid.

525 If there are multiple beneficiaries receiving a retirement
526 allowance from a deceased member's account, the ad hoc increase
527 shall be divided proportionately.

528 **SECTION 4.** This act shall take effect and be in force from
529 and after July 1, 2006.