

By: Senator(s) Jackson (32nd)

To: Finance

## SENATE BILL NO. 2963

1 AN ACT TO AUTHORIZE PUBLIC SCHOOL DISTRICTS TO PAY WITH LOCAL  
2 FUNDS THE FULL COST OF THE HEALTH INSURANCE PREMIUMS FOR RETIRED  
3 MEMBERS OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM WHO ARE  
4 EMPLOYED AS SCHOOL BUS DRIVERS BY THE SCHOOL DISTRICTS TO AMEND  
5 SECTION 25-11-127, MISSISSIPPI CODE OF 1972, TO AUTHORIZE ANY  
6 RETIREE, REGARDLESS OF AGE, TO BE EMPLOYED BY A PUBLIC SCHOOL  
7 DISTRICT AS A SCHOOL BUS DRIVER AND DRAW A RETIREMENT ALLOWANCE  
8 FROM THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM IF THE ANNUAL  
9 COMPENSATION FOR SUCH EMPLOYMENT DOES NOT EXCEED \$10,000.00 PER  
10 YEAR; AND FOR RELATED PURPOSES.

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

12 **SECTION 1.** The public school districts of the state, in  
13 their discretion, may pay with local funds one hundred percent  
14 (100%) of the cost of the health insurance premiums of the State  
15 and School Employees Health Insurance Plan for all retired members  
16 of the Public Employees' Retirement System who are employed as  
17 school bus drivers by the school districts. No state funds shall  
18 be used for payment of the health insurance premiums under the  
19 authority of this section. If a school district chooses to pay  
20 the health insurance premiums for school bus drivers under the  
21 authority of this section, the district shall not be authorized to  
22 pay any amount that is less than one hundred percent (100%) of the  
23 cost of the health insurance premiums for the school bus drivers,  
24 but shall pay the full amount of the cost of the health insurance  
25 premiums for each school bus driver who is employed by the  
26 district.

27 **SECTION 2.** Section 25-11-127, Mississippi Code of 1972, is  
28 amended as follows:

29 25-11-127. (1) (a) No person who is being paid a  
30 retirement allowance or a pension after retirement under this

31 article shall be employed or paid for any service by the State of  
32 Mississippi, except as provided in this section.

33 (b) No retiree of this retirement system who is  
34 reemployed or is reelected to office after retirement shall  
35 continue to draw retirement benefits while so reemployed, except  
36 as provided in this section.

37 (c) No person employed or elected under the exceptions  
38 provided for in this section shall become a member under Article 3  
39 of the retirement system.

40 (2) Any person who has been retired under the provisions of  
41 Article 3 and who is later reemployed in service covered by this  
42 article shall cease to receive benefits under this article and  
43 shall again become a contributing member of the retirement system.  
44 When the person retires again, if the reemployment exceeds six (6)  
45 months, the person shall have his or her benefit recomputed,  
46 including service after again becoming a member, provided that the  
47 total retirement allowance paid to the retired member in his or  
48 her previous retirement shall be deducted from the member's  
49 retirement reserve and taken into consideration in recalculating  
50 the retirement allowance under a new option selected.

51 (3) The board shall have the right to prescribe rules and  
52 regulations for carrying out the provisions of this section.

53 (4) The provisions of this section shall not be construed to  
54 prohibit any retiree, regardless of age, from being employed and  
55 drawing a retirement allowance \* \* \*:

56 (a) For a period of time not to exceed one-half (1/2)  
57 of the normal working days for the position in any fiscal year  
58 during which the retiree will receive no more than one-half (1/2)  
59 of the salary in effect for the position at the time of  
60 employment, or

61 (b) For a period of time in any fiscal year sufficient  
62 in length to permit a retiree to earn not in excess of twenty-five  
63 percent (25%) of retiree's average compensation.

64 To determine the normal working days for a position under  
65 paragraph (a) of this subsection, the employer shall determine the  
66 required number of working days for the position on a full-time  
67 basis and the equivalent number of hours representing the  
68 full-time position. The retiree then may work up to one-half  
69 (1/2) of the required number of working days or up to one-half  
70 (1/2) of the equivalent number of hours and receive up to one-half  
71 (1/2) of the salary for the position. In the case of employment  
72 with multiple employers, the limitation shall equal one-half (1/2)  
73 of the number of days or hours for a single full-time position.

74 Notice shall be given in writing to the executive director,  
75 setting forth the facts upon which the employment is being made,  
76 and the notice shall be given within five (5) days from the date  
77 of employment and also from the date of termination of the  
78 employment.

79 (5) Any member may continue in municipal or county elected  
80 office or be elected to a municipal or county office, provided  
81 that the person:

82 (a) Files annually, in writing, in the office of the  
83 employer and the office of the executive director of the system  
84 before the person takes office or as soon as possible after  
85 retirement, a waiver of all salary or compensation and elects to  
86 receive in lieu of that salary or compensation a retirement  
87 allowance as provided in this section, in which event no salary or  
88 compensation shall thereafter be due or payable for those  
89 services; however, any such officer or employee may receive, in  
90 addition to the retirement allowance, office expense allowance,  
91 mileage or travel expense authorized by any statute of the State  
92 of Mississippi; or

93 (b) Elects to receive compensation for that elective  
94 office in an amount not to exceed twenty-five percent (25%) of the  
95 retiree's average compensation. As used in this paragraph, the  
96 term "compensation" shall not include office expense allowance,

97 mileage or travel expense authorized by a statute of the State of  
98 Mississippi. In order to receive compensation as allowed in this  
99 paragraph, the member shall file annually, in writing, in the  
100 office of the employer and the office of the executive director of  
101 the system, an election to receive, in addition to a retirement  
102 allowance, compensation as allowed in this paragraph.

103 (6) The provisions of this section shall not be construed to  
104 prohibit any retiree, regardless of age, from being employed by a  
105 public school district as a school bus driver and drawing a  
106 retirement allowance if the annual compensation for such  
107 employment does not exceed Ten Thousand Dollars (\$10,000.00) per  
108 year.

109 **SECTION 3.** This act shall take effect and be in force from  
110 and after July 1, 2007.