

By: Representatives Darnell, Goodin, Hale

To: Appropriations

HOUSE BILL NO. 994

1 AN ACT TO AMEND SECTION 25-11-127, MISSISSIPPI CODE OF 1972,
 2 TO AUTHORIZE CERTAIN MEMBERS OF THE PUBLIC EMPLOYEES' RETIREMENT
 3 SYSTEM TO RETIRE AND CONTINUE AS A MEMBER OF THE LEGISLATURE, AND
 4 AUTHORIZE RETIRED MEMBERS OF THE RETIREMENT SYSTEM TO BE ELECTED
 5 AS A MEMBER OF THE LEGISLATURE, IN THE SAME MANNER AS AUTHORIZED
 6 FOR PERSONS IN ELECTED COUNTY OR MUNICIPAL OFFICES; TO AMEND
 7 SECTIONS 25-11-105, 25-11-305, 5-1-41 AND 5-1-47, MISSISSIPPI CODE
 8 OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; AND FOR
 9 RELATED PURPOSES.

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

11 **SECTION 1.** Section 25-11-127, Mississippi Code of 1972, is
 12 amended as follows:

13 25-11-127. (1) (a) No person who is being paid a
 14 retirement allowance or a pension after retirement under this
 15 article shall be employed or paid for any service by the State of
 16 Mississippi, including services as an employee, contract worker,
 17 contractual employee or independent contractor, until the retired
 18 person has been retired for not less than ninety (90) consecutive
 19 days from his or her effective date of retirement. After the
 20 person has been retired for not less than ninety (90) consecutive
 21 days from his or her effective date of retirement or such later



22 date as established by the board, he or she may be reemployed
23 while being paid a retirement allowance under the terms and
24 conditions provided in this section.

25 (b) No retiree of this retirement system who is
26 reemployed or is reelected to office after retirement shall
27 continue to draw retirement benefits while so reemployed, except
28 as provided in this section.

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

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

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



45 (4) The provisions of this section shall not be construed to
46 prohibit any retiree, regardless of age, from being employed and
47 drawing a retirement allowance either:

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

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

56 To determine the normal working days for a position under
57 paragraph (a) of this subsection, the employer shall determine the
58 required number of working days for the position on a full-time
59 basis and the equivalent number of hours representing the
60 full-time position. The retiree then may work up to one-half
61 (1/2) of the required number of working days or up to one-half
62 (1/2) of the equivalent number of hours and receive up to one-half
63 (1/2) of the salary for the position. In the case of employment
64 with multiple employers, the limitation shall equal one-half (1/2)
65 of the number of days or hours for a single full-time position.

66 Notice shall be given in writing to the executive director,
67 setting forth the facts upon which the employment is being made,
68 and the notice shall be given within five (5) days from the date



69 of employment and also from the date of termination of the
70 employment.

71 (5) Except as otherwise provided in subsection (6) of this
72 section, the employer of any person who is receiving a retirement
73 allowance and who is employed in service covered by subsection (4)
74 of this section as an employee or a contractual employee shall pay
75 to the board the full amount of the employer's contribution on the
76 amount of compensation received by the retiree for his or her
77 employment in accordance with regulations prescribed by the board.
78 The retiree shall not receive any additional creditable service in
79 the retirement system as a result of the payment of the employer's
80 contribution. This subsection does not apply to persons who are
81 receiving a retirement allowance and who contract with an employer
82 to provide services as a true independent contractor, as defined
83 by the board through regulation.

84 (6) (a) A member may retire and continue in municipal or
85 county elective office or as a member of the Legislature provided
86 that the member has reached the age and/or service requirement
87 that will not result in a prohibited in-service distribution as
88 defined by the Internal Revenue Service, or a retiree may be
89 elected to a municipal or county office or as a member of the
90 Legislature, provided that the person:

91 (i) Files annually, in writing, in the office of
92 the employer and the office of the executive director of the
93 system before the person takes office or as soon as possible after



94 retirement, a waiver of all salary or compensation and elects to
95 receive in lieu of that salary or compensation a retirement
96 allowance as provided in this section, in which event no salary or
97 compensation shall thereafter be due or payable for those
98 services; however, any such officer * * * may receive, in addition
99 to the retirement allowance, office expense allowance, mileage or
100 travel expense authorized by any statute of the State of
101 Mississippi; or

102 (ii) Elects to receive compensation for that
103 elective office in an amount not to exceed twenty-five percent
104 (25%) of the retiree's average compensation. In order to receive
105 compensation as allowed in this subparagraph, the retiree shall
106 file annually, in writing, in the office of the employer and the
107 office of the executive director of the system, an election to
108 receive, in addition to a retirement allowance, compensation as
109 allowed in this subparagraph.

110 (b) The municipality or county in which the retired
111 person holds elective office or the house of the Legislature in
112 which the retired person serves as a member shall pay to the board
113 the amount of the employer's contributions on the full amount of
114 the regular compensation for the elective office that the retired
115 person holds.

116 (c) As used in this subsection, the term "compensation"
117 does not include office expense allowance, mileage or travel
118 expense authorized by a statute of the State of Mississippi.



119 **SECTION 2.** Section 25-11-105, Mississippi Code of 1972, is
120 amended as follows:

121 25-11-105. **I. THOSE WHO ARE ELIGIBLE FOR MEMBERSHIP**

122 The membership of this retirement system shall be composed as
123 follows:

124 (a) (i) All persons who become employees in the state
125 service after January 31, 1953, and whose wages are subject to
126 payroll taxes and are lawfully reported on IRS Form W-2, except
127 those who are specifically excluded, * * * those as to whom
128 election is provided in Articles 1 and 3, and those persons who
129 receive or continue to receive a retirement allowance while
130 serving as a member of the Legislature as authorized by Section
131 25-11-127(6), shall become members of the retirement system as a
132 condition of their employment.

133 (ii) From and after July 1, 2002, any individual
134 who is employed by a governmental entity to perform professional
135 services shall become a member of the system if the individual is
136 paid regular periodic compensation for those services that is
137 subject to payroll taxes, is provided all other employee benefits
138 and meets the membership criteria established by the regulations
139 adopted by the board of trustees that apply to all other members
140 of the system; however, any active member employed in such a
141 position on July 1, 2002, will continue to be an active member for
142 as long as they are employed in any such position.



143 (b) All persons who become employees in the state
144 service after January 31, 1953, except those specifically excluded
145 or as to whom election is provided in Articles 1 and 3, unless
146 they file with the board before the lapse of sixty (60) days of
147 employment or sixty (60) days after the effective date of the
148 cited articles, whichever is later, on a form prescribed by the
149 board, a notice of election not to be covered by the membership of
150 the retirement system and a duly executed waiver of all present
151 and prospective benefits that would otherwise inure to them on
152 account of their participation in the system, shall become members
153 of the retirement system; however, no credit for prior service
154 will be granted to members who became members of the system before
155 July 1, 2007, until they have contributed to Article 3 of the
156 retirement system for a minimum period of at least four (4) years,
157 or to members who became members of the system on or after July 1,
158 2007, until they have contributed to Article 3 of the retirement
159 system for a minimum period of at least eight (8) years. Those
160 members shall receive credit for services performed before January
161 1, 1953, in employment now covered by Article 3, but no credit
162 shall be granted for retroactive services between January 1, 1953,
163 and the date of their entry into the retirement system, unless the
164 employee pays into the retirement system both the employer's and
165 the employee's contributions on wages paid him during the period
166 from January 31, 1953, to the date of his becoming a contributing
167 member, together with interest at the rate determined by the board



168 of trustees. Members reentering after withdrawal from service
169 shall qualify for prior service under the provisions of Section
170 25-11-117. From and after July 1, 1998, upon eligibility as noted
171 above, the member may receive credit for such retroactive service
172 provided:

173 (i) The member shall furnish proof satisfactory to
174 the board of trustees of certification of that service from the
175 covered employer where the services were performed; and

176 (ii) The member shall pay to the retirement system
177 on the date he or she is eligible for that credit or at any time
178 thereafter before the date of retirement the actuarial cost for
179 each year of that creditable service. The provisions of this
180 subparagraph (ii) shall be subject to the limitations of Section
181 415 of the Internal Revenue Code and regulations promulgated under
182 Section 415.

183 Nothing contained in this paragraph (b) shall be construed to
184 limit the authority of the board to allow the correction of
185 reporting errors or omissions based on the payment of the employee
186 and employer contributions plus applicable interest.

187 (c) All persons who become employees in the state
188 service after January 31, 1953, and who are eligible for
189 membership in any other retirement system shall become members of
190 this retirement system as a condition of their employment, unless
191 they elect at the time of their employment to become a member of
192 that other system.



193 (d) All persons who are employees in the state service
194 on January 31, 1953, and who are members of any nonfunded
195 retirement system operated by the State of Mississippi, or any of
196 its departments or agencies, shall become members of this system
197 with prior service credit unless, before February 1, 1953, they
198 file a written notice with the board of trustees that they do not
199 elect to become members.

200 (e) All persons who are employees in the state service
201 on January 31, 1953, and who under existing laws are members of
202 any fund operated for the retirement of employees by the State of
203 Mississippi, or any of its departments or agencies, shall not be
204 entitled to membership in this retirement system unless, before
205 February 1, 1953, any such person indicates by a notice filed with
206 the board, on a form prescribed by the board, his individual
207 election and choice to participate in this system, but no such
208 person shall receive prior service credit unless he becomes a
209 member on or before February 1, 1953.

210 (f) Each political subdivision of the state and each
211 instrumentality of the state or a political subdivision, or both,
212 is authorized to submit, for approval by the board of trustees, a
213 plan for extending the benefits of this article to employees of
214 any such political subdivision or instrumentality. Each such plan
215 or any amendment to the plan for extending benefits thereof shall
216 be approved by the board of trustees if it finds that the plan, or
217 the plan as amended, is in conformity with such requirements as



218 are provided in Articles 1 and 3; however, upon approval of the
219 plan or any such plan previously approved by the board of
220 trustees, the approved plan shall not be subject to cancellation
221 or termination by the political subdivision or instrumentality.
222 No such plan shall be approved unless:

223 (i) It provides that all services that constitute
224 employment as defined in Section 25-11-5 and are performed in the
225 employ of the political subdivision or instrumentality, by any
226 employees thereof, shall be covered by the plan, with the
227 exception of municipal employees who are already covered by
228 existing retirement plans; however, those employees in this class
229 may elect to come under the provisions of this article;

230 (ii) It specifies the source or sources from which
231 the funds necessary to make the payments required by paragraph (d)
232 of Section 25-11-123 and of paragraph (f)(v)2 and 3 of this
233 section are expected to be derived and contains reasonable
234 assurance that those sources will be adequate for that purpose;

235 (iii) It provides for such methods of
236 administration of the plan by the political subdivision or
237 instrumentality as are found by the board of trustees to be
238 necessary for the proper and efficient administration thereof;

239 (iv) It provides that the political subdivision or
240 instrumentality will make such reports, in such form and
241 containing such information, as the board of trustees may from
242 time to time require;



243 (v) It authorizes the board of trustees to
244 terminate the plan in its entirety in the discretion of the board
245 if it finds that there has been a failure to comply substantially
246 with any provision contained in the plan, the termination to take
247 effect at the expiration of such notice and on such conditions as
248 may be provided by regulations of the board and as may be
249 consistent with applicable federal law.

250 1. The board of trustees shall not finally
251 refuse to approve a plan submitted under paragraph (f), and shall
252 not terminate an approved plan without reasonable notice and
253 opportunity for hearing to each political subdivision or
254 instrumentality affected by the board's decision. The board's
255 decision in any such case shall be final, conclusive and binding
256 unless an appeal is taken by the political subdivision or
257 instrumentality aggrieved by the decision to the Circuit Court of
258 the First Judicial District of Hinds County, Mississippi, in
259 accordance with the provisions of law with respect to civil causes
260 by certiorari.

261 2. Each political subdivision or
262 instrumentality as to which a plan has been approved under this
263 section shall pay into the contribution fund, with respect to
264 wages (as defined in Section 25-11-5), at such time or times as
265 the board of trustees may by regulation prescribe, contributions
266 in the amounts and at the rates specified in the applicable
267 agreement entered into by the board.



268 3. Every political subdivision or
269 instrumentality required to make payments under paragraph (f)(v)2
270 of this section is authorized, in consideration of the employees'
271 retention in or entry upon employment after enactment of Articles
272 1 and 3, to impose upon its employees, as to services that are
273 covered by an approved plan, a contribution with respect to wages
274 (as defined in Section 25-11-5) not exceeding the amount provided
275 in Section 25-11-123(d) if those services constituted employment
276 within the meaning of Articles 1 and 3, and to deduct the amount
277 of the contribution from the wages as and when paid.

278 Contributions so collected shall be paid into the contribution
279 fund as partial discharge of the liability of the political
280 subdivisions or instrumentalities under paragraph (f)(v)2 of this
281 section. Failure to deduct the contribution shall not relieve the
282 employee or employer of liability for the contribution.

283 4. Any state agency, school, political
284 subdivision, instrumentality or any employer that is required to
285 submit contribution payments or wage reports under any section of
286 this chapter shall be assessed interest on delinquent payments or
287 wage reports as determined by the board of trustees in accordance
288 with rules and regulations adopted by the board and delinquent
289 payments, assessed interest and any other amount certified by the
290 board as owed by an employer, may be recovered by action in a
291 court of competent jurisdiction against the reporting agency
292 liable therefor or may, upon due certification of delinquency and



293 at the request of the board of trustees, be deducted from any
294 other monies payable to the reporting agency by any department or
295 agency of the state.

296 5. Each political subdivision of the state
297 and each instrumentality of the state or a political subdivision
298 or subdivisions that submit a plan for approval of the board, as
299 provided in this section, shall reimburse the board for coverage
300 into the expense account, its pro rata share of the total expense
301 of administering Articles 1 and 3 as provided by regulations of
302 the board.

303 (g) The board may, in its discretion, deny the right of
304 membership in this system to any class of employees whose
305 compensation is only partly paid by the state or who are occupying
306 positions on a part-time or intermittent basis. The board may, in
307 its discretion, make optional with employees in any such classes
308 their individual entrance into this system.

309 (h) An employee whose membership in this system is
310 contingent on his own election, and who elects not to become a
311 member, may thereafter apply for and be admitted to membership;
312 but no such employee shall receive prior service credit unless he
313 becomes a member before July 1, 1953, except as provided in
314 paragraph (b).

315 (i) If any member of this system changes his employment
316 to any agency of the state having an actuarially funded retirement
317 system, the board of trustees may authorize the transfer of the



318 member's creditable service and of the present value of the
319 member's employer's accumulation account and of the present value
320 of the member's accumulated membership contributions to that other
321 system, provided that the employee agrees to the transfer of his
322 accumulated membership contributions and provided that the other
323 system is authorized to receive and agrees to make the transfer.

324 If any member of any other actuarially funded system
325 maintained by an agency of the state changes his employment to an
326 agency covered by this system, the board of trustees may authorize
327 the receipt of the transfer of the member's creditable service and
328 of the present value of the member's employer's accumulation
329 account and of the present value of the member's accumulated
330 membership contributions from the other system, provided that the
331 employee agrees to the transfer of his accumulated membership
332 contributions to this system and provided that the other system is
333 authorized and agrees to make the transfer.

334 (j) Wherever state employment is referred to in this
335 section, it includes joint employment by state and federal
336 agencies of all kinds.

337 (k) Employees of a political subdivision or
338 instrumentality who were employed by the political subdivision or
339 instrumentality before an agreement between the entity and the
340 Public Employees' Retirement System to extend the benefits of this
341 article to its employees, and which agreement provides for the
342 establishment of retroactive service credit, and who became



343 members of the retirement system before July 1, 2007, and have
344 remained contributors to the retirement system for four (4) years,
345 or who became members of the retirement system on or after July 1,
346 2007, and have remained contributors to the retirement system for
347 eight (8) years, may receive credit for that retroactive service
348 with the political subdivision or instrumentality, provided that
349 the employee and/or employer, as provided under the terms of the
350 modification of the joinder agreement in allowing that coverage,
351 pay into the retirement system the employer's and employee's
352 contributions on wages paid the member during the previous
353 employment, together with interest or actuarial cost as determined
354 by the board covering the period from the date the service was
355 rendered until the payment for the credit for the service was
356 made. Those wages shall be verified by the Social Security
357 Administration or employer payroll records. Effective July 1,
358 1998, upon eligibility as noted above, a member may receive credit
359 for that retroactive service with the political subdivision or
360 instrumentality provided:

361 (i) The member shall furnish proof satisfactory to
362 the board of trustees of certification of those services from the
363 political subdivision or instrumentality where the services were
364 rendered or verification by the Social Security Administration;
365 and

366 (ii) The member shall pay to the retirement system
367 on the date he or she is eligible for that credit or at any time



368 thereafter before the date of retirement the actuarial cost for
369 each year of that creditable service. The provisions of this
370 subparagraph (ii) shall be subject to the limitations of Section
371 415 of the Internal Revenue Code and regulations promulgated under
372 Section 415.

373 Nothing contained in this paragraph (k) shall be construed to
374 limit the authority of the board to allow the correction of
375 reporting errors or omissions based on the payment of employee and
376 employer contributions plus applicable interest. Payment for that
377 time shall be made beginning with the most recent service. Upon
378 the payment of all or part of the required contributions, plus
379 interest or the actuarial cost as provided above, the member shall
380 receive credit for the period of creditable service for which full
381 payment has been made to the retirement system.

382 (1) Through June 30, 1998, any state service eligible
383 for retroactive service credit, no part of which has ever been
384 reported, and requiring the payment of employee and employer
385 contributions plus interest, or, from and after July 1, 1998, any
386 state service eligible for retroactive service credit, no part of
387 which has ever been reported to the retirement system, and
388 requiring the payment of the actuarial cost for that creditable
389 service, may, at the member's option, be purchased in quarterly
390 increments as provided above at the time that its purchase is
391 otherwise allowed.



392 (m) All rights to purchase retroactive service credit
393 or repay a refund as provided in Section 25-11-101 et seq. shall
394 terminate upon retirement.

395 **II. THOSE WHO ARE NOT ELIGIBLE FOR MEMBERSHIP**

396 The following classes of employees and officers shall not
397 become members of this retirement system, any other provisions of
398 Articles 1 and 3 to the contrary notwithstanding:

399 (a) Patient or inmate help in state charitable, penal
400 or correctional institutions;

401 (b) Students of any state educational institution
402 employed by any agency of the state for temporary, part-time or
403 intermittent work;

404 (c) Participants of Comprehensive Employment and
405 Training Act of 1973 (CETA) being Public Law 93-203, who enroll on
406 or after July 1, 1979;

407 (d) From and after July 1, 2002, individuals who are
408 employed by a governmental entity to perform professional service
409 on less than a full-time basis who do not meet the criteria
410 established in I(a)(ii) of this section.

411 **III. TERMINATION OF MEMBERSHIP**

412 Membership in this system shall cease by a member withdrawing
413 his accumulated contributions, or by a member withdrawing from
414 active service with a retirement allowance, or by a member's
415 death.



416 **SECTION 3.** Section 25-11-305, Mississippi Code of 1972, is
417 amended as follows:

418 25-11-305. (1) The membership of the Supplemental
419 Legislative Retirement Plan shall be composed as follows:

420 (a) All members of the State Legislature who are
421 currently serving in the capacity of an elected official of the
422 State Legislature and the person currently serving as President of
423 the Senate shall become members of this system on July 1, 1989,
424 unless they file with the board within thirty (30) days after July
425 1, 1989, on a form prescribed by the board, a notice of election
426 not to be covered in the membership of the Supplemental
427 Legislative Retirement Plan and a duly executed waiver of all
428 present and prospective benefits which would otherwise inure to
429 them on account of their participation in the plan.

430 (b) All members of the State Legislature and the
431 President of the Senate who are elected after July 1, 1989.

432 (2) Any state legislators who would have otherwise qualified
433 for membership in the plan under subsection (1) of this section
434 but who were excluded from membership by other provisions of this
435 section as it read before March 26, 1991, shall become members of
436 the plan upon March 26, 1991, and shall receive creditable service
437 in the plan for the period from July 1, 1989, to March 26, 1991,
438 upon payment of the proper employee and employer contributions for
439 that period.



440 (3) Membership in the plan shall cease by a member
441 withdrawing his accumulated contributions, or by a member
442 withdrawing from active service with a retirement allowance, or by
443 death of the member.

444 (4) No benefits under the plan shall accrue or otherwise be
445 payable to any person who does not qualify for membership in the
446 plan under subsection (1) of this section.

447 (5) Persons who receive or continue to receive a retirement
448 allowance while serving as a member of the Legislature as
449 authorized by Section 25-11-127(6) shall not be active members of
450 the plan.

451 **SECTION 4.** Section 5-1-41, Mississippi Code of 1972, is
452 amended as follows:

453 5-1-41. * * * Except as otherwise provided in Section
454 25-11-127(6), each Senator and Representative of the Legislature
455 shall receive as compensation at each regular session the sum of
456 Ten Thousand Dollars (\$10,000.00) and the mileage allowance
457 provided by Section 25-3-41, for each mile of the distance by the
458 most direct route usually traveled in coming to and returning from
459 the place where the Legislature sits. * * * Except as otherwise
460 provided in Section 25-11-127(6), each Senator and Representative
461 shall receive for attending each extraordinary session or called
462 session the sum of Seventy-five Dollars (\$75.00) per day and
463 mileage at the same rate as per regular session. Except as
464 otherwise provided in Section 25-11-127(6), in addition to the



465 above, * * * each Senator and Representative and the Lieutenant
466 Governor shall receive the sum of One Thousand Five Hundred
467 Dollars (\$1,500.00) per month for expenses incidental to his
468 office for every full month of his term, except any month or major
469 fraction thereof when the Legislature is convened in regular or
470 extraordinary session; and payments shall be made to each Senator
471 and Representative and the Lieutenant Governor by the State
472 Treasurer between the first and tenth day of each month following
473 the month for which the payments are due.

474 **SECTION 5.** Section 5-1-47, Mississippi Code of 1972, is
475 amended as follows:

476 5-1-47. (1) Except as otherwise provided in Section
477 25-11-127(6), in addition to the regular salary and mileage
478 provided by law, an expense allowance equal to the maximum daily
479 expense rate allowable to employees of the federal government for
480 travel in the high rate geographical area of Jackson, Mississippi,
481 as may be established by federal regulations for each legislative
482 day in actual attendance at a session shall be paid to the
483 Lieutenant Governor and members of the Senate and House of
484 Representatives, together with an additional mileage allowance as
485 provided by Section 25-3-41, for each mile of the distance by the
486 most direct route usually traveled in coming to and returning from
487 the place where the Legislature is in session, which expense
488 allowance and additional mileage allowance shall be paid at the
489 end of each seven-day period while the Legislature is in session.



490 (2) Except as otherwise provided in Section 25-11-127(6), in
491 addition to the mileage allowance provided for in subsection (1)
492 of this section, an expense allowance equal to the maximum daily
493 expense rate allowable to employees of the federal government for
494 travel in the high rate geographical area of Jackson, Mississippi,
495 as may be established by federal regulations, per day, shall be
496 paid to:

497 (a) The Lieutenant Governor and members of the Senate,
498 upon the approval of the Senate Rules Committee, for attending to
499 legislative duties on any of the following days that the Senate
500 does not convene in session on that day: (i) any day between
501 legislative regular or extraordinary sessions, or (ii) any day of
502 a legislative regular session that has been extended beyond the
503 number of calendar days specified in Section 36, Mississippi
504 Constitution of 1890, when that day falls after the ninetieth or
505 one-hundred-twenty-fifth day of the session, as the case may be,
506 or (iii) any day during a legislative extraordinary session; and

507 (b) Members of the House of Representatives, upon the
508 approval of the House Management Committee, for attending to
509 legislative duties on any of the following days that the House
510 does not convene in session on that day: (i) any day between
511 legislative regular or extraordinary sessions, or (ii) any day of
512 a legislative regular session that has been extended beyond the
513 number of calendar days specified in Section 36, Mississippi
514 Constitution of 1890, when that day falls after the ninetieth or



515 one-hundred-twenty-fifth day of the session, as the case may be,
516 or (iii) any day during a legislative extraordinary session.

517 (3) The expense allowance and additional mileage allowance
518 provided by this section for the Lieutenant Governor and members
519 of the Senate shall be paid from the appropriate legislative fund
520 of the Senate as provided by law, and the expense allowance and
521 additional mileage allowance for members of the House of
522 Representatives shall be paid from the appropriate legislative
523 fund of the House of Representatives as provided by law, upon
524 warrants drawn for such purpose in the manner provided by law.

525 **SECTION 6.** This act shall take effect and be in force from
526 and after its passage.

