

By: Representatives Byrd, Reynolds

To: County Affairs

HOUSE BILL NO. 843

1 AN ACT TO AMEND SECTION 25-15-103, MISSISSIPPI CODE OF 1972,
 2 TO CLARIFY THAT ANY COUNTY OR MUNICIPAL MEDICARE-ELIGIBLE EMPLOYEE
 3 IS AUTHORIZED TO BE OFFERED CERTAIN SUPPLEMENTAL COMPENSATION BY
 4 THE BOARD OF SUPERVISORS OR THE MUNICIPAL GOVERNING AUTHORITY
 5 WHENEVER SUCH EMPLOYEE CHOOSES TO SECURE MEDICARE COVERAGE IN LIEU
 6 OF PARTICIPATING IN A COUNTY OR MUNICIPAL MEDICAL OR HEALTH
 7 INSURANCE PROGRAM; AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** Section 25-15-103, Mississippi Code of 1972, is
 10 amended as follows:

11 25-15-103. (1) The maximum amount of group insurance or
 12 other coverage used in determining employer's limitation of one
 13 hundred percent (100%) of such costs shall be determined by
 14 regulations promulgated by the governing board or head of any
 15 political subdivision, school district, junior college district,
 16 institution, department or agency named in Section 25-15-101 and
 17 this section, but the life insurance for each employee shall not
 18 exceed Fifty Thousand Dollars (\$50,000.00), or the amount of
 19 deduction allowed by the United States Internal Revenue Service in
 20 filing a federal tax return, whichever is greater. A like amount



21 may be for accidental death, accident, health and salary
22 protection insurance, providing benefits not exceeding sixty
23 percent (60%) of the employee's income, or the amount allowed by
24 the United States Internal Revenue Service in filing a federal tax
25 return, whichever is greater. Hospitalization benefits for room
26 and board may not exceed the average semiprivate cost per day; and
27 the other coverages authorized hereinabove. The limitations in
28 this subsection on the amount of group insurance and other
29 coverage which employers may obtain for their employees shall not
30 be applicable to municipalities.

31 (2) Any employee who retires due to one hundred percent
32 (100%) medical disability, or due to reaching the statutory age of
33 retirement under the provisions of the Public Employees'
34 Retirement Law of 1952, being Sections 25-11-101 through
35 25-11-139, may, if he elects, remain a member of the group plan
36 for such life insurance and other benefits as may be agreed to by
37 the governing board or institution, department, or agency head and
38 the companies writing such insurance and other coverage, by paying
39 the entire costs thereof.

40 (3) When any of the political subdivisions, school
41 districts, junior college districts, institutions, departments, or
42 agencies named in Section 25-15-101 and this section have adopted
43 the group coverage plan authorized by said sections, any of the
44 employees thereof participating in the plan who desire to secure
45 additional benefits for their dependents with the company or



46 companies providing such group coverage may do so by authorizing
47 in writing the deduction from his or her salary or wages of the
48 necessary amounts for the full payment of such additional
49 coverage, and the same may be deducted and paid for such purposes,
50 but the entire cost of such additional coverage for dependents
51 shall be paid by the employee.

52 (4) (a) A municipality may provide group life insurance
53 coverage for all or specified groups of its public employees and
54 group hospitalization benefits for such public employees and their
55 dependents, and the municipality may pay the total of the cost of
56 all benefits under this section.

57 (b) A county may provide group life insurance coverage
58 for all or specified groups of its public employees and group
59 hospitalization benefits for such public employees and their
60 dependents, and the county may pay the total of the cost of all
61 benefits under this section. A county may make such provision, as
62 specified under this paragraph, retroactively for any existing
63 group coverage plan previously adopted by the county.

64 (5) (a) The board of supervisors of any county or governing
65 authority of any municipality may offer any Medicare-eligible
66 county or municipal employee supplemental compensation if the
67 employee chooses to secure Medicare coverage in lieu of
68 participating in any county or municipal medical or health
69 insurance program, as the case may be, limited to an amount which
70 shall not exceed the county's or municipality's cost for the



71 employee to participate in such county or municipal medical or
72 health insurance program. The provisions of this subsection shall
73 not apply to coverage by Medicaid. Nothing in this subsection
74 shall be construed to require a county or municipal employee to
75 choose Medicare coverage in lieu of participating in any county or
76 municipal medical or health insurance program, and a county or
77 municipality shall not withhold participation in any county or
78 municipal medical or health insurance program by a
79 Medicare-eligible employee who is otherwise eligible for such
80 county or municipal medical or health insurance program.

81 (b) Before the supplemental compensation may be
82 provided, as specified under this subsection, the employee shall
83 provide verifiable proof that he has secured coverage under
84 Medicare. Receipt of purchase for the Medicare coverage shall be
85 provided on an annual basis to the employer.

86 (c) Notwithstanding any law to the contrary, the board
87 of supervisors of any county or governing authority of any
88 municipality is authorized to offer any Medicare-eligible county
89 or municipal employee the supplemental compensation prescribed
90 under this subsection as long as such employee is eligible for the
91 county or municipal medical or health insurance program, as the
92 case may be.

93 **SECTION 2.** This act shall take effect and be in force from
94 and after July 1, 2022.

