

By: Representative Evans

To: Appropriations A

HOUSE BILL NO. 866

1 AN ACT TO AMEND SECTION 25-11-305, MISSISSIPPI CODE OF 1972,  
 2 TO PROVIDE THAT ALL PERSONS WHO BECOME MEMBERS OF THE STATE  
 3 LEGISLATURE FOR THE FIRST TIME ON OR AFTER JULY 1, 2024, AND THE  
 4 PERSONS WHO BECOME THE PRESIDENT OF THE SENATE FOR THE FIRST TIME  
 5 ON OR AFTER JULY 1, 2024, SHALL NOT BECOME MEMBERS OF THE  
 6 SUPPLEMENTAL LEGISLATIVE RETIREMENT PLAN; TO PROVIDE THAT FROM AND  
 7 AFTER JULY 1, 2024, THE MEMBERS OF THE STATE LEGISLATURE AND THE  
 8 PRESIDENT OF THE SENATE SHALL NOT EARN ANY ADDITIONAL CREDITABLE  
 9 SERVICE AS A MEMBER OF THE STATE LEGISLATURE OR AS THE PRESIDENT  
 10 OF THE SENATE FOR THE PURPOSES OF THE PLAN; TO AMEND SECTION  
 11 25-11-307, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FROM AND  
 12 AFTER JULY 1, 2024, THE MEMBERS OF THE PLAN WILL NOT PAY THE  
 13 EMPLOYEE'S CONTRIBUTION AND THE STATE LEGISLATURE WILL NOT PAY THE  
 14 EMPLOYER'S CONTRIBUTION FOR MEMBERS OF THE PLAN; AND FOR RELATED  
 15 PURPOSES.

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

17 **SECTION 1.** Section 25-11-305, Mississippi Code of 1972, is  
 18 amended as follows:

19 25-11-305. (1) The membership of the Supplemental  
 20 Legislative Retirement Plan shall be composed as follows:

21 (a) All members of the State Legislature who are  
 22 currently serving in the capacity of an elected official of the  
 23 State Legislature and the person currently serving as President of  
 24 the Senate shall become members of \* \* \* the Supplemental



25 Legislative Retirement Plan on July 1, 1989, unless they file with  
26 the board within thirty (30) days after July 1, 1989, on a form  
27 prescribed by the board, a notice of election not to be covered in  
28 the membership of the Supplemental Legislative Retirement Plan and  
29 a duly executed waiver of all present and prospective benefits  
30 which would otherwise inure to them on account of their  
31 participation in the plan.

32 (b) All members of the State Legislature and the  
33 President of the Senate who are elected after July 1, 1989, except  
34 as provided in subsection (3) of this section.

35 (2) Any state legislators who would have otherwise qualified  
36 for membership in the plan under subsection (1) of this section  
37 but who were excluded from membership by other provisions of this  
38 section as it read before March 26, 1991, shall become members of  
39 the plan upon March 26, 1991, and shall receive creditable service  
40 in the plan for the period from July 1, 1989, to March 26, 1991,  
41 upon payment of the proper employee and employer contributions for  
42 that period.

43 (3) All persons who become members of the State Legislature  
44 for the first time on or after July 1, 2024, and the persons who  
45 become the President of the Senate for the first time on or after  
46 July 1, 2024, shall not become members of the plan. All members  
47 of the State Legislature and the President of the Senate who were  
48 members of the plan before July 1, 2024, shall remain as members



49 of the plan until their membership in the plan ceases as provided  
50 in subsection (5) of this section.

51 (4) From and after July 1, 2024, the members of the State  
52 Legislature and the President of the Senate who are members of the  
53 plan shall not earn any additional creditable service as a member  
54 of the State Legislature or as the President of the Senate for the  
55 purposes of the plan, but this shall not affect any creditable  
56 service that was earned before that date.

57 ( \* \* \*5) Membership in the plan shall cease by a member  
58 withdrawing his accumulated contributions, or by a member  
59 withdrawing from active service with a retirement allowance, or by  
60 death of the member.

61 ( \* \* \*6) No benefits under the plan shall accrue or  
62 otherwise be payable to any person who does not qualify for  
63 membership in the plan under subsection (1) of this section.

64 **SECTION 2.** Section 25-11-307, Mississippi Code of 1972, is  
65 amended as follows:

66 25-11-307. (1) The Board of Trustees of the Public  
67 Employees' Retirement System of Mississippi shall act as custodian  
68 of the funds for members of the State Legislature and the  
69 President of the Senate, and shall receive to the credit of \* \* \*  
70 the fund all donations, bequests, appropriations, and all funds  
71 available as an employer's contribution thereto from any source  
72 whatsoever. Through June 30, 2024, the State Legislature shall  
73 each month deduct from the compensation of each member three



74 percent (3%) thereof, and shall pay the amount so deducted to the  
75 board of trustees to be credited to the fund for the members. The  
76 compensation of each member shall include all remuneration or  
77 amounts paid, except mileage allowance. From the funds credited  
78 to this account, the board of trustees shall pay retirement  
79 allowances, disability benefits, survivors' benefits and expenses,  
80 and shall refund contributions as provided. The fund for the  
81 Supplemental Legislative Retirement Plan shall be maintained as a  
82 separate fund, separate from all other funds held by the board of  
83 trustees and shall be used only for the payment of benefits  
84 provided for by the plan, or amendments thereto.

85 (2) Through June 30, 2024, on account of each member there  
86 shall be paid monthly into the fund for members of the  
87 Supplemental Legislative Retirement Plan by the State Legislature  
88 from funds available an amount equal to a certain percentage of  
89 the compensation of each member to be known as the "normal  
90 contributions," and an additional amount equal to a percentage of  
91 his compensation to be known as the "accrued liability  
92 contribution." The percentage rate of \* \* \* the contributions  
93 shall be fixed by the board of trustees on the basis of the  
94 liabilities of the plan for the various allowances and benefits as  
95 shown by the actuarial valuation. Until changed by the board of  
96 trustees, the contribution rate shall be six and one-third percent  
97 (6-1/3%) of the annual compensation of all members, which shall



98 include all remuneration or amounts paid, except mileage  
99 allowance.

100 (3) The board of trustees is \* \* \* authorized to deduct two  
101 percent (2%) of all employer's contributions paid into the fund  
102 for members of the State Legislature and the President of the  
103 Senate to be transferred to the expense fund of the Public  
104 Employees' Retirement System of Mississippi to defray the cost of  
105 administering this fund.

106 **SECTION 3.** This act shall take effect and be in force from  
107 and after July 1, 2024.

