

By: Senator(s) McMahan

To: Finance

SENATE BILL NO. 2394

1 AN ACT TO REQUIRE THE BOARD OF TRUSTEES OF THE PUBLIC  
 2 EMPLOYEES' RETIREMENT SYSTEM TO ENGAGE, DURING THE 2024 CALENDAR  
 3 YEAR, THE SERVICES OF A CEFEX-CERTIFIED AND AFFILIATED INVESTMENT  
 4 FIRM WITH A CEFEX-CERTIFIED ANALYST TO CONDUCT A FIDUCIARY  
 5 ASSESSMENT OF THE SYSTEM'S FUNDS AND PRACTICES; TO REQUIRE THE  
 6 BOARD TO SUBMIT THE FIRM'S REPORT TO EACH MEMBER OF THE  
 7 LEGISLATURE NO LATER THAN JANUARY 30, 2025; TO BRING FORWARD  
 8 SECTION 25-11-119, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF  
 9 POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

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

11 **SECTION 1.** (1) For the purposes of this section, the  
 12 following terms have the meanings ascribed herein:

13 (a) "Board" means the Board of Trustees of the Public  
 14 Employees' Retirement System of Mississippi.

15 (b) "CEFEX" means the Centre for Fiduciary Excellence.

16 (c) "System" means the Public Employees' Retirement  
 17 System of Mississippi.

18 (2) During the 2024 calendar year, the board shall engage  
 19 the services of a CEFEX-certified and affiliated investment firm  
 20 with a CEFEX-certified analyst to conduct a fiduciary assessment  
 21 of the system's funds and practices. The board shall submit the



22 firm's report to each member of the Legislature no later than  
23 January 30, 2025.

24 **SECTION 2.** Section 25-11-119, Mississippi Code of 1972, is  
25 brought forward as follows:

26 25-11-119. (1) The board shall keep such data as shall be  
27 necessary for actuarial valuation of the assets and liabilities of  
28 the system and for checking its operating experience.

29 (2) The board shall keep minutes which shall be open to  
30 public inspection. It shall have the accounts of the system  
31 audited annually by the State Audit Department and shall publish  
32 as of the end of each fiscal year a report showing the fiscal  
33 transactions of the system for the preceding fiscal year, the  
34 amount of the accumulated cash and securities of the system, a  
35 statement of income and expenditures, a statement of investments  
36 acquired and disposed of, and a balance sheet showing the  
37 financial condition of the system by means of an actuarial  
38 valuation of its assets and liabilities. It shall also publish a  
39 synopsis of the report.

40 (3) The board shall establish a general office for the  
41 meeting of the board and for the administrative personnel; provide  
42 for the installation of an adequate system of books, accounts, and  
43 records which will give effect to all requirements of Articles 1  
44 and 3; and credit all assets received by the funds according to  
45 the purposes for which they are held. All books, accounts and  
46 records shall be kept in the general office of the board and shall



47 be public records except for individual member records. The  
48 system shall not disclose the name, address or contents of any  
49 individual member records without the prior written consent of the  
50 individual to whom the record pertains, except as authorized by  
51 regulations of the board.

52 (4) The board shall hold regular meetings at least quarterly  
53 in each year and such special meetings as may be deemed necessary.  
54 All meetings shall be open to the public.

55 (5) The board shall have power to make contracts, and to sue  
56 and be sued, under the name of the Board of Trustees of the Public  
57 Employees' Retirement System of Mississippi.

58 (6) Legal advisor. The Attorney General shall be the legal  
59 advisor of the board; and the board may employ counsel when  
60 needed.

61 (7) Medical board. The board may designate a medical board  
62 to be composed of three (3) physicians or may contract with  
63 another governmental agency or nongovernmental disability  
64 determination service that is qualified to make disability  
65 determinations. If required, other physicians may be engaged to  
66 report on special cases. The medical board or other governmental  
67 or nongovernmental disability determination service agency so  
68 designated shall arrange for, and pass upon, all medical  
69 examinations required under the provisions of this article; shall  
70 investigate all essential statements and certificates by or on  
71 behalf of a member in connection with an application for



72 disability retirement; and shall report in writing to the board of  
73 trustees its conclusions and recommendations upon all the matters  
74 referred to it.

75 (8) Duties of actuary. The board of trustees shall  
76 designate an actuary who shall be the technical advisor of the  
77 board on matters regarding the operation of the system, and shall  
78 perform such other duties as are required in connection therewith.

79 (9) At least once in each two-year period, the actuary shall  
80 make an actuarial survey of the mortality, service, withdrawal and  
81 compensation experience of the members and beneficiaries of the  
82 retirement system, and shall make a valuation of the assets and  
83 liabilities of the system. Taking into account the result of such  
84 investigation and valuation, the board of trustees shall adopt for  
85 the retirement system such mortality, service, and other tables as  
86 shall be deemed necessary. On the basis of such tables as the  
87 board of trustees shall adopt, the actuary shall make valuations  
88 of the assets and liabilities of the funds of the system.

89 **SECTION 3.** This act shall take effect and be in force from  
90 and after its passage.

