

By: Representatives Barnett (116th), Creel,  
Janus, Simpson

To: Local and Private  
Legislation

HOUSE BILL NO. 1555

1 AN ACT TO AMEND SECTIONS 2, 3 AND 4 OF CHAPTER 931, LOCAL AND  
2 PRIVATE LAWS OF 1993, AS LAST AMENDED BY CHAPTER 988, LOCAL AND  
3 PRIVATE LAWS OF 1996, TO AUTHORIZE THE GOVERNING AUTHORITIES OF  
4 THE CITY OF BILOXI TO PROVIDE FOR ANNUAL COST-OF-LIVING INCREASES  
5 FOR CURRENT AND FUTURE RETIRED MEMBERS OF THE BILOXI DISABILITY  
6 AND RELIEF FUND FOR FIREMEN AND POLICEMEN, AND BENEFICIARIES  
7 THEREOF, IN AN AMOUNT EQUAL TO THREE PERCENT OF THE ANNUAL  
8 RETIREMENT ALLOWANCE; TO PROVIDE THAT MEMBERS OF THE DISABILITY  
9 AND RELIEF FUND WHO RETIRED BEFORE JULY 1, 2000, WILL ALSO RECEIVE  
10 A THREE PERCENT COST-OF-LIVING INCREASE FOR THE 2000-2001 FISCAL  
11 YEAR; TO PROVIDE THAT THE COST-OF-LIVING INCREASES SHALL BE PAID  
12 IN ONE ADDITIONAL ANNUAL PAYMENT OR IN 12 EQUAL MONTHLY  
13 INSTALLMENTS, AS ELECTED BY THE RETIREE; TO PROVIDE THAT THE  
14 MAXIMUM CUMULATIVE PERCENTAGE OF ALL ANNUAL COST-OF-LIVING  
15 INCREASES RECEIVED UNDER THIS ACT SHALL NOT EXCEED 30% OF THE  
16 ANNUAL RETIREMENT ALLOWANCE, UNLESS THE GOVERNING AUTHORITIES  
17 AUTHORIZE THE PAYMENT OF ADDITIONAL ANNUAL COST-OF-LIVING  
18 INCREASES ABOVE 30% AND CERTAIN CONDITIONS ARE MET; TO PROVIDE  
19 THAT THE COST-OF-LIVING INCREASES AUTHORIZED UNDER THIS ACT SHALL  
20 BE SUSPENDED IF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM AT ANY  
21 TIME DETERMINES THAT CONTINUING THE PAYMENT OF THE COST-OF-LIVING  
22 INCREASES WOULD MAKE THE DISABILITY AND RELIEF FUND ACTUARIALLY  
23 UNSOUND; TO PROVIDE THAT THE COST-OF-LIVING INCREASES AUTHORIZED  
24 UNDER THIS ACT SHALL NOT BE IMPLEMENTED UNLESS THE DISABILITY AND  
25 RELIEF FUND CURRENTLY IS ACTUARIALLY SOUND AND WILL REMAIN  
26 ACTUARIALLY SOUND IF THE COST-OF-LIVING INCREASES ARE MADE; TO  
27 PROVIDE THAT IF THE COST-OF-LIVING INCREASES AUTHORIZED UNDER THIS  
28 ACT WOULD MAKE THE DISABILITY AND RELIEF FUND ACTUARIALLY UNSOUND,  
29 THE GOVERNING AUTHORITIES ARE AUTHORIZED TO PROVIDE FOR A REDUCED  
30 VERSION OF THE COST-OF-LIVING INCREASES THAT WOULD LEAVE THE FUND  
31 ACTUARIALLY SOUND; TO AUTHORIZE THE GOVERNING AUTHORITIES TO USE  
32 ANY AVAILABLE FUNDS TO SUPPLEMENT THE DISABILITY AND RELIEF FUND  
33 TO MAKE IT ACTUARIALLY SOUND; AND FOR RELATED PURPOSES.

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

35 SECTION 1. Sections 2, 3 and 4 of Chapter 931, Local and  
36 Private Laws of 1993, as amended by Chapter 979, Local and Private  
37 Laws of 1995, as amended by Chapter 988, Local and Private Laws of  
38 1996, are amended as follows:

39           Section 1. (1) Subject to the provisions of Section 3, the  
40 governing authorities of the City of Biloxi, Mississippi, in their  
41 discretion, are authorized to take any of the following actions:

42           (a) Establish an additional payment for each retired  
43 member and beneficiary of the Biloxi Disability and Relief Fund  
44 for Firemen and Policemen who is now or hereafter entitled to  
45 receive benefits under any provision of Section 21-29-101,  
46 Mississippi Code of 1972. The amount of the additional payment  
47 shall be equal to the annual percentage change in the Consumer  
48 Price Index set by the United States government, not to exceed  
49 three percent (3%) per annum, and shall be computed based upon the  
50 amount of the benefits received by the members and beneficiaries  
51 in the fiscal year of the disability and relief fund before the  
52 effective date of the resolution of the governing authorities of  
53 the city establishing the additional payments.

54           (b) Provide that the additional payments authorized in  
55 paragraph (a) shall be either automatically made each year, made  
56 for a specified number of years, or authorized on an annual basis  
57 by the governing authorities of the city.

58           (c) Provide that the additional payments authorized in  
59 paragraph (a) shall cease or shall not be made for any subsequent  
60 fiscal year, regardless of whether a prior action of the governing  
61 authorities of the city called for the payments to be made  
62 automatically or without additional authorization by the governing  
63 authorities.

64           (d) Provide that if the governing authorities of the  
65 city choose to reinstate the additional payments authorized in  
66 paragraph (a) after ceasing them for a period of time, the  
67 percentage increase shall not be compounded during the interim  
68 period unless specifically directed by the governing authorities.

69           (e) Provide that the additional payments authorized by  
70 paragraph (a) may be based upon a percentage specified by the  
71 governing authorities of the city, regardless of the maximum

72 percentage allowed in paragraph (a), if the governing authorities  
73 also transfer sufficient monies to the Public Employees'  
74 Retirement System to fund the increase at the specified  
75 percentage.

76 (f) Provide that the additional payments authorized in  
77 paragraph (a) shall automatically cease if continuing the  
78 additional payments could make the disability and relief fund  
79 actuarially unsound; however, before ceasing the payments, the  
80 Board of Trustees of the Public Employees' Retirement System shall  
81 notify the governing authorities of the city and give them the  
82 opportunity to transfer sufficient funds, if the governing  
83 authorities choose to do so, to make the additional payments while  
84 keeping the disability and relief fund actuarially sound.

85 (g) Use funds from any available source to supplement  
86 the disability and relief fund to make the fund actuarially sound,  
87 and transfer those funds to the Board of Trustees of the Public  
88 Employees' Retirement System for that purpose.

89 (2) After the governing authorities of the city \* \* \* have  
90 adopted a resolution to establish the additional payments  
91 authorized under subsection (1) of this section and the advisory  
92 board provided for in Section 21-29-105, Mississippi Code of 1972,  
93 has adopted a resolution supporting the establishment of the  
94 additional payments, and after the Board of Trustees of the Public  
95 Employees' Retirement System has received these resolutions and  
96 received the most recent actuarial study of the disability and  
97 relief fund and the certified statement from the actuarial firm,  
98 pursuant to Section 3 \* \* \*, that the fund will remain actuarially  
99 sound if the additional payments are made, then the board of  
100 trustees shall make the payments to the persons authorized and  
101 entitled to receive the payments.

102 (3) Persons eligible to receive the payments authorized  
103 under this section shall receive such payments in one (1)  
104 additional payment, except that such person may elect by an

105 irrevocable agreement on a form prescribed by the Board of  
106 Trustees of the Public Employees' Retirement System to receive  
107 such payments in not less than equal monthly installments not to  
108 exceed six (6) months during the remaining months of the current  
109 fiscal year. In the event of death of a person or a beneficiary  
110 thereof receiving monthly benefits, any remaining amounts shall be  
111 paid in a lump sum to the estate of the retired member or  
112 beneficiary.

113 (4) After the effective date of House Bill No. 1555, 2001  
114 Regular Session, all new cost-of-living increases for retirees of  
115 the Biloxi Disability and Relief Fund for Firemen and Policemen  
116 and beneficiaries thereof shall be made under Section 6 and not  
117 under this section. All cost-of-living increases previously made  
118 under this section shall continue to be paid each year, but no new  
119 or additional cost-of-living increases shall be made under this  
120 section after the effective date of House Bill No. 1555, 2001  
121 Regular Session.

122 Section 2. (1) Subject to the provisions of Section  
123 3 \* \* \*, the governing authorities of the City of Biloxi,  
124 Mississippi, are authorized, in their discretion, to provide for  
125 the payment of minimum monthly benefits in any amount determined  
126 by the governing authorities to all persons now or hereafter  
127 entitled to receive benefits under any provision of Section  
128 21-29-101 et seq., Mississippi Code of 1972.

129 (2) After the governing authorities of the city \* \* \* have  
130 adopted a resolution to establish the minimum monthly benefits  
131 authorized under subsection (1) of this section, specifying the  
132 amount of the minimum monthly benefits in the resolution, and the  
133 advisory board provided for in Section 21-29-105, Mississippi Code  
134 of 1972, has adopted a resolution supporting the payment of the  
135 specified amount of the minimum monthly benefits, and after the  
136 Board of Trustees of the Public Employees' Retirement System has  
137 received these resolutions and received the most recent actuarial

138 study of the disability and relief fund and the certified  
139 statement from the actuarial firm, pursuant to Section 3 \* \* \*,  
140 that the fund will remain actuarially sound if the minimum monthly  
141 benefits are paid, then the board of trustees shall pay those  
142 benefits to the persons authorized and entitled to receive the  
143 payments.

144 Section 3. Payment of the additional payments authorized  
145 under Section 1 \* \* \* or the minimum monthly benefits authorized  
146 under Section 2 \* \* \*, or both, shall not be established unless  
147 the Biloxi Disability and Relief Fund for Firemen and Policemen is  
148 actuarially sound, as shown by the most recent actuarial study  
149 required by Section 21-29-119, Mississippi Code of 1972, and the  
150 fund will remain actuarially sound if the additional payments  
151 authorized under Section 1 \* \* \* or the minimum monthly benefits  
152 authorized under Section 2 \* \* \*, or both, are made, as shown by a  
153 certified statement from the actuarial firm that prepared the most  
154 recent actuarial study.

155 Section 4. (1) Subject to the provisions of subsection (2)  
156 of this section, the governing authorities of the City of Biloxi,  
157 Mississippi, in their discretion, are authorized to provide that  
158 members of the Biloxi Disability and Relief Fund for Firemen and  
159 Policemen under the provisions of Section 21-29-101 et seq.,  
160 Mississippi Code of 1972, who retire after April 7, 1995, shall  
161 receive creditable service in the fund at the time of retirement  
162 for lawfully credited unused, uncompensated annual leave and sick  
163 leave earned under the vacation and sick leave policies of the  
164 city, in amounts equal to the amounts authorized for members of  
165 the Public Employees' Retirement System.

166 (2) Creditable service for unused, uncompensated leave as  
167 authorized under subsection (1) of this section shall not be  
168 provided unless the Biloxi Disability and Relief Fund for Firemen  
169 and Policemen is actuarially sound, as shown by the most recent  
170 actuarial study required by Section 21-29-119, Mississippi Code of

171 1972, and the fund will remain actuarially sound if creditable  
172 service for unused, uncompensated leave as authorized under  
173 subsection (1) of this section is provided, as shown by a  
174 certified statement from the actuarial firm that prepared the most  
175 recent actuarial study.

176 (3) After the governing authorities of the city \* \* \* have  
177 adopted a resolution to provide creditable service for unused,  
178 uncompensated leave as authorized under subsection (1) of this  
179 section and the advisory board provided for in Section 21-29-105,  
180 Mississippi Code of 1972, has adopted a resolution supporting the  
181 providing of creditable service for unused, uncompensated leave,  
182 and after the Board of Trustees of the Public Employees'  
183 Retirement System has received these resolutions and received the  
184 most recent actuarial study of the disability and relief fund and  
185 the certified statement from the actuarial firm that the fund will  
186 remain actuarially sound if creditable service for unused,  
187 uncompensated leave is provided, then the board of trustees shall  
188 provide creditable service for unused, uncompensated leave to  
189 members of the disability and relief fund at the time of  
190 retirement in accordance with subsection (1) of this section, and  
191 such creditable service shall be used in calculating the members'  
192 retirement benefits under Section 21-29-101 et seq., Mississippi  
193 Code of 1972.

194 (4) Except to limit creditable service reported to the  
195 disability and relief fund for the purpose of computing a member's  
196 retirement benefits provided under Section 21-29-101 et seq.,  
197 Mississippi Code of 1972, nothing in this section shall limit or  
198 otherwise restrict the power of the governing authorities of the  
199 city \* \* \* to adopt such vacation and sick leave policies as they  
200 deem necessary.

201 Section 5. (1) Subject to the provisions of subsection (2)  
202 of this section, the governing authorities of the City of Biloxi,  
203 Mississippi, in their discretion, are authorized to provide that

204 for the purpose of computing retirement benefits of members of the  
205 Biloxi Disability and Relief Fund for Firemen and Policemen under  
206 the provisions of Section 21-29-101 et seq., Mississippi Code of  
207 1972, who retire after April 11, 1996, earned compensation may  
208 include all or a portion of any payment made to a member upon  
209 termination of employment for up to thirty (30) days of unused,  
210 accumulated personal leave.

211 (2) The inclusion within earned compensation of those  
212 payments as provided in subsection (1) of this section shall not  
213 be authorized by the governing authorities unless the disability  
214 and relief fund is actuarially sound, as shown by the most recent  
215 actuarial study required by Section 21-29-119, Mississippi Code of  
216 1972, and the disability and relief fund will remain actuarially  
217 sound if the inclusion of such payments is authorized, as shown by  
218 a certified statement from the actuarial firm that prepared the  
219 most recent actuarial study.

220 (3) After the governing authorities of the city have adopted  
221 a resolution to include within earned compensation payments as  
222 provided under subsection (1) of this section, and after the Board  
223 of Trustees of the Public Employees' Retirement System has  
224 received the most recent actuarial study of the disability and  
225 relief fund and the certified statement from the actuarial firm  
226 that the disability and relief fund will remain actuarially sound  
227 if the inclusion of such payments is authorized, then the board of  
228 trustees may include such payments within the earned compensation  
229 of members at the time of retirement, in accordance with  
230 subsection (1) of this section, when calculating the members'  
231 retirement benefits under the provisions of Section 21-29-101 et  
232 seq., Mississippi Code of 1972.

233 (4) Nothing in this section shall limit or otherwise  
234 restrict the power of the governing authorities of the city to  
235 adopt such vacation and sick leave policies as they deem  
236 necessary.

237           Section 6. (1) Subject to the provisions of subsection (2)  
238 of this section, the governing authorities of the City of Biloxi,  
239 Mississippi, in their discretion, are authorized to provide for  
240 cost-of-living increases for each retired member of the Biloxi  
241 Disability and Relief Fund for Firemen and Policemen, or any  
242 beneficiary thereof, who is now or hereafter entitled to receive a  
243 retirement allowance under any provision of Section 21-29-101 et  
244 seq., Mississippi Code of 1972, in accordance with the following  
245 provisions:

246           (a) Any person who is receiving a retirement allowance  
247 on the effective date of House Bill No. 1555, 2001 Regular  
248 Session, and who was receiving a retirement allowance on May 1,  
249 2000, shall receive a cost-of-living increase on December 1, 2001,  
250 or on July 1, 2001, as provided in paragraph (d) of this  
251 subsection, in an amount equal to six percent (6%) of the annual  
252 retirement allowance. In subsequent years, in addition to and  
253 cumulative to the cost-of-living increase received in the year  
254 2001, any such person or beneficiary thereof shall receive a  
255 cost-of-living increase on December 1 or July 1 of the year, as  
256 provided in paragraph (d) of this subsection, in an amount equal  
257 to three percent (3%) of the annual retirement allowance for each  
258 full fiscal year in retirement after June 30, 2001. The  
259 cost-of-living increases provided for under this paragraph (a)  
260 shall be in addition to and cumulative to any cost-of-living  
261 increases previously received under the provisions of Section 1.  
262 For the purposes of this section, "fiscal year" means the period  
263 from July 1 of any year through June 30 of the following year.

264           (b) Any person who retires on or after May 1, 2000, or  
265 any beneficiary thereof, who has received a monthly retirement  
266 allowance for at least one (1) full fiscal year after June 30,  
267 2000, shall receive a cost-of-living increase on December 1 or  
268 July 1 of the year, as provided in paragraph (d) of this section,

269 in an amount equal to three percent (3%) of the annual retirement  
270 allowance for each full fiscal year in retirement.

271 (c) Notwithstanding the provisions of paragraph (b) of  
272 this subsection, any person who retired under the Biloxi  
273 Disability and Relief Fund for Firemen and Policemen before May 1,  
274 2000, and later was reemployed by the City of Biloxi or employed  
275 by any other municipality or other governmental entity in a  
276 position that caused the person to stop receiving a retirement  
277 allowance from the disability and relief fund during the person's  
278 period of reemployment or subsequent employment, who retires from  
279 his or her reemployment or subsequent employment on or after  
280 January 1, 2001, and is again receiving a retirement allowance  
281 from the disability and relief fund, shall begin receiving the  
282 cost-of-living increases authorized under this section in the year  
283 that the person retires from his or her reemployment or subsequent  
284 employment, if more than one (1) full fiscal year has passed since  
285 the person's initial retirement from the City of Biloxi. In the  
286 year that the person retires from his or her reemployment or  
287 subsequent employment, the person or beneficiary thereof shall  
288 receive a cost-of-living increase on December 1 or July 1 of the  
289 year, as provided in paragraph (d) of this subsection, in an  
290 amount equal to three percent (3%) of the annual retirement  
291 allowance. In subsequent years, in addition to and cumulative to  
292 the cost-of-living increase received in the year of retirement,  
293 any such person or beneficiary thereof shall receive a  
294 cost-of-living increase on December 1 or July 1 of the year, as  
295 provided in paragraph (d) of this subsection, in an amount equal  
296 to three percent (3%) of the annual retirement allowance for each  
297 full fiscal year after June 30 of the year of retirement.

298 (d) The cost-of-living increases authorized under this  
299 section shall be paid in one (1) payment in December of each year  
300 to any person who is receiving a retirement allowance on December  
301 1 of that year, unless an election is made as follows: Any person

302 or beneficiary thereof who is receiving a retirement allowance on  
303 July 1, 2001, or July 1 of any fiscal year thereafter, may elect  
304 by an irrevocable agreement in writing filed in the office of the  
305 Public Employees' Retirement System not less than thirty (30) days  
306 before July 1 of the appropriate year, to begin receiving the  
307 cost-of-living increases authorized under this section in twelve  
308 (12) equal monthly installments beginning July 1, 2001, or July 1  
309 of any fiscal year thereafter. This irrevocable agreement shall  
310 be binding on the retiree and subsequent beneficiaries. Payment  
311 of those monthly installments shall not extend beyond the month in  
312 which a retirement allowance is due and payable. If a person who  
313 is receiving a retirement allowance that will terminate upon the  
314 person's death is receiving the cost-of-living increases in one  
315 (1) payment and dies on or after July 1 but before December 1, the  
316 beneficiary or estate of the person shall receive in a single  
317 payment a fractional part of the cost-of-living increase based on  
318 the number of months in which a retirement allowance was received  
319 during the fiscal year.

320 (e) Except as otherwise provided in paragraph (f) of  
321 this subsection, the maximum cumulative percentage of all annual  
322 cost-of-living increases received by a retiree or beneficiary  
323 thereof under this section shall not exceed thirty percent (30%)  
324 of the annual retirement allowance. Any cost-of-living increases  
325 previously received by a retiree or beneficiary thereof under the  
326 provisions of Section 1 shall not be included in determining when  
327 the cumulative percentage of the cost-of-living increases received  
328 under this section has reached thirty percent (30%). After the  
329 cumulative percentage of the cost-of-living increases received by  
330 a retiree or beneficiary thereof under this section has reached  
331 thirty percent (30%), the retiree or beneficiary thereof shall  
332 continue to receive the cost-of-living payments each year in an  
333 amount equal to thirty percent (30%) of the annual retirement  
334 allowance for as long as the retiree or beneficiary thereof is

335 entitled to receive a retirement allowance, unless additional  
336 annual cost-of-living increases are authorized under paragraph (f)  
337 of this subsection or cost-of-living increases are suspended under  
338 paragraph (g) of this subsection.

339 (f) Notwithstanding the provisions of paragraph (e) of  
340 this subsection, the governing authorities of the city, by  
341 resolution adopted by the city council, may authorize the payment  
342 of additional annual cost-of-living increases after the cumulative  
343 percentage of the cost-of-living increases received by a retiree  
344 or beneficiary thereof under this section has reached thirty  
345 percent (30%), if the governing authorities have examined the  
346 actual impact of inflation upon the retirement and cost-of-living  
347 benefits being paid at that time, examined the effect of paying  
348 additional annual cost-of-living increases on the actuarial  
349 soundness of the disability and relief fund, and determined that  
350 municipal finances will permit the payment of additional annual  
351 cost-of-living increases above a cumulative percentage of thirty  
352 percent (30%). In addition, any payment of additional annual  
353 cost-of-living increases after the cumulative percentage has  
354 reached thirty percent (30%) shall be subject to subsection (2) of  
355 this section and paragraph (g) of this subsection.

356 (g) The cost-of-living increases authorized under this  
357 section shall be suspended, either in whole or in part as  
358 determined to be necessary by the governing authorities of the  
359 city and the Board of Trustees of the Public Employees' Retirement  
360 System, if the board of trustees at any time determines that  
361 continuing the payment of the cost-of-living increases would make  
362 the disability and relief fund actuarially unsound; however,  
363 before suspending the cost-of-living increases, the board of  
364 trustees shall notify the governing authorities of the city and  
365 give them the opportunity to transfer sufficient funds, if the  
366 governing authorities choose to do so, to make the cost-of-living

367 increases while keeping the disability and relief fund actuarially  
368 sound.

369 (2) (a) The cost-of-living increases authorized under this  
370 section shall not be implemented unless the Biloxi Disability and  
371 Relief Fund for Firemen and Policemen is actuarially sound, as  
372 shown by the most recent actuarial study required by Section  
373 21-29-119, Mississippi Code of 1972, and the fund will remain  
374 actuarially sound if the cost-of-living increases authorized under  
375 this section are made, as shown by a certified statement from the  
376 actuarial firm that prepared the most recent actuarial study.

377 (b) After the governing authorities of the city have  
378 adopted a resolution to establish the cost-of-living increases  
379 authorized under this section and the advisory board provided for  
380 in Section 21-29-105, Mississippi Code of 1972, has adopted a  
381 resolution supporting the cost-of-living increases, and after the  
382 Board of Trustees of the Public Employees' Retirement System has  
383 received these resolutions and received the most recent actuarial  
384 study of the disability and relief fund and the certified  
385 statement from the actuarial firm, under paragraph (a) of this  
386 subsection, that the fund will remain actuarially sound if the  
387 cost-of-living increases are made, then the board of trustees  
388 shall make the cost-of-living increases to the persons authorized  
389 and entitled to receive the cost-of-living increases.

390 (c) If the certified statement of the actuary under  
391 paragraph (a) of this subsection concludes that the cost-of-living  
392 increases authorized under this section cannot be implemented  
393 because they would make the disability and relief fund actuarially  
394 unsound, then the governing authorities of the city are authorized  
395 to provide for a reduced version of the cost-of-living increases  
396 authorized under this section that would leave the disability and  
397 relief fund actuarially sound, as determined by a certified  
398 statement of the actuary.

399       (3) After the effective date of House Bill No. 1555, 2001  
400 Regular Session, all new cost-of-living increases for retirees of  
401 the Biloxi Disability and Relief Fund for Firemen and Policemen  
402 and beneficiaries thereof shall be made under this section and not  
403 under Section 1. All cost-of-living increases previously made  
404 under Section 1 shall continue to be paid each year, but no new or  
405 additional cost-of-living increases shall be made under Section 1  
406 after the effective date of House Bill No. 1555, 2001 Regular  
407 Session.

408       Section 7. The governing authorities of the City of Biloxi,  
409 Mississippi, in their discretion, are authorized to use funds from  
410 any available source to supplement the Biloxi Disability and  
411 Relief Fund for Firemen and Policemen to make the fund actuarially  
412 sound, and transfer those funds to the Board of Trustees of the  
413 Public Employees' Retirement System for that purpose.

414       Section 8. The provisions of this act are supplemental to  
415 the provisions of Section 21-29-101 et seq., Mississippi Code of  
416 1972, and if there is any conflict between the provisions of this  
417 act and any provision of Section 21-29-101 et seq., Mississippi  
418 Code of 1972, the provisions of this act shall control.

419       SECTION 2. This act shall take effect and be in force from  
420 and after its passage.