

By: Representative Masterson

To: Local and Private
Legislation

HOUSE BILL NO. 1636

1 AN ACT TO PROVIDE THAT THE CITY OF VICKSBURG MAY AUTHORIZE
2 SURVIVING SPOUSES WHO ARE RECEIVING SPOUSE RETIREMENT BENEFITS
3 FROM THE DISABILITY AND RELIEF FUND FOR FIREMEN AND POLICEMEN OF
4 THE CITY TO CONTINUE TO RECEIVE THOSE BENEFITS FOR LIFE, EVEN
5 AFTER REMARRIAGE, AND AUTHORIZE SURVIVING SPOUSES WHO RECEIVED
6 SPOUSE RETIREMENT BENEFITS FROM THE DISABILITY AND RELIEF FUND
7 BEFORE THE EFFECTIVE DATE OF THIS ACT AND WHOSE BENEFITS WERE
8 TERMINATED BECAUSE OF REMARRIAGE TO AGAIN RECEIVE THOSE BENEFITS;
9 TO PROVIDE THAT THE SPOUSE RETIREMENT BENEFITS SHALL NOT BE
10 CONTINUED AND REINSTATED UNLESS THE DISABILITY AND RELIEF FUND IS
11 ACTUARIALLY SOUND AND WILL REMAIN ACTUARIALLY SOUND IF THOSE
12 BENEFITS ARE CONTINUED AND REINSTATED; AND FOR RELATED PURPOSES.

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

14 **SECTION 1.** (1) Subject to the provisions of subsections (2)
15 and (3) of this section, the governing authorities of the City of
16 Vicksburg, Mississippi, may:

17 (a) Authorize surviving spouses of deceased members of
18 the Disability and Relief Fund for Firemen and Policemen of the
19 City of Vicksburg who are receiving spouse retirement benefits
20 under the provisions of Sections 21-29-145 and 21-29-147,
21 Mississippi Code of 1972, to continue to receive the spouse
22 retirement benefits for life, even if the spouse remarries; and

23 (b) Authorize surviving spouses of deceased members of
24 the Disability and Relief Fund for Firemen and Policemen of the
25 City of Vicksburg who received spouse retirement benefits under
26 the provisions of Sections 21-29-145 and 21-29-147, Mississippi
27 Code of 1972, before the effective date of this act and whose
28 benefits were terminated because of remarriage, to again receive
29 the spouse retirement benefits from and after making application
30 with the Board of Trustees of the Public Employees' Retirement
31 System to reinstate the benefits. Any reinstatement of the



benefits shall be prospective only from and after the first of the month following the date of application for reinstatement.

(2) The spouse retirement benefits authorized under this section shall not be continued and reinstated unless:

(a) The disability and relief fund is actuarially sound, as shown by the most recent actuarial study required by Section 21-29-119, Mississippi Code of 1972; and

(b) The disability and relief fund will remain actuarially sound if the spouse retirement benefits are continued and reinstated, as shown by a certified statement from the actuarial firm that prepared the most recent actuarial study.

(3) The Board of Trustees of the Public Employees' Retirement System shall pay the spouse retirement benefits authorized in this section to the persons entitled to receive the benefits, after all of the following conditions have been met:

(a) The governing authorities of the City of Vicksburg must adopt a resolution requesting the continuation and reinstatement of the spouse retirement benefits as authorized in this section, and transmit the resolution to the board of trustees;

(b) The advisory board provided for in Section 21-29-105, Mississippi Code of 1972, must adopt a resolution supporting the continuation and reinstatement of the spouse retirement benefits, and transmit the resolution to the board of trustees;

(c) The board of trustees must receive the resolutions from the governing authorities and the advisory board, and receive the most recent actuarial study of the disability and relief fund and the certified statement from the actuarial firm that the fund will remain actuarially sound if the spouse retirement benefits are continued and reinstated; and

(d) In the case of reinstatement of spouse retirement benefits, the board of trustees must receive the required



65 application for reinstatement of the benefits from the surviving
66 spouse.

67 **SECTION 2.** This act shall take effect and be in force from
68 and after its passage.

