MISSISSIPPI LEGISLATURE REGULAR SESSION 2012

By: Representatives Mayo, Bain, Boyd, Brown (20th), Busby, Crawford, Massengill, White

To: Appropriations

HOUSE BILL NO. 1113

AN ACT TO AMEND SECTION 25-11-305, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ALL PERSONS WHO BECOME MEMBERS OF THE STATE LEGISLATURE FOR THE FIRST TIME AFTER JANUARY 1, 2012, AND THE PERSONS WHO BECOME THE PRESIDENT OF THE SENATE FOR THE FIRST TIME AFTER JANUARY 1, 2012, SHALL NOT BECOME MEMBERS OF THE SUPPLEMENTAL LEGISLATIVE RETIREMENT PLAN; AND FOR RELATED PURPOSES.

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

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

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

(a) All members of the State Legislature who are currently serving in the capacity of an elected official of the State Legislature and the person currently serving as President of the Senate shall become members of the Supplemental Legislative Retirement Plan on July 1, 1989, unless they file with the board within thirty (30) days after July 1, 1989, on a form prescribed by the board, a notice of election not to be covered in the membership of the Supplemental Legislative Retirement Plan and a duly executed waiver of all present and prospective benefits which would otherwise inure to them on account of their participation in the plan.

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

(2) Any state legislators who would have otherwise qualified for membership in the plan under subsection (1) of this section but who were excluded from membership by other provisions of this

section as it read before March 26, 1991, shall become members of the plan upon March 26, 1991, and shall receive creditable service in the plan for the period from July 1, 1989, to March 26, 1991, upon payment of the proper employee and employer contributions for that period.

(3) All persons who become members of the State Legislature for the first time after January 1, 2012, and the persons who become the President of the Senate for the first time after January 1, 2012, shall not become members of the plan. All members of the State Legislature who were members of the plan before January 1, 2012, shall remain as members of the plan until their membership in the plan ceases as provided in subsection (4) of this section.

(4) Membership in the plan shall cease by a member withdrawing his accumulated contributions, or by a member withdrawing from active service with a retirement allowance, or by death of the member.

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

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