

NOTICE OF RULE ADOPTION-FINAL RULE

**STATE OF MISSISSIPPI
PUBLIC EMPLOYEES' RETIREMENT SYSTEM**

Public Employees' Retirement System
c/o Denise Mounger
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Jackson, Mississippi 39201

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Specific Legal Authority authorizing the promulgation of Rule: MCA Section 25-11-15(6)

Reference to Rules repealed, amended or suspended by the Proposed Rule: Regulation 63

Date Rule Proposed: **August 25, 2009**

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule:

The purpose of this regulation is to set forth the terms and conditions under which a temporary benefit in the form of a partial distribution of a member's accumulated contributions under Miss. Code Ann. § 25-11-117(4) (1972, as amended) can be paid to an inactive member of the Public Employees' Retirement System of Mississippi (PERS) and the Supplemental Legislative Retirement Plan (SLRP) to provide such member with a temporary source of income while awaiting a final determination of eligibility for disability retirement benefits.

The Agency Rule Making Record for this rule including any written comments received during the comment period and the record of any oral proceeding is available for public inspection by contacting the Agency at the above address.

An oral proceeding was held on this rule:

Date:

Time:

Place:

An oral proceeding was not held on this rule.

The Agency has considered the written comments and the presentation made in any oral proceedings, and

This rule as adopted is without variance from the proposed rule.

This rule as adopted differs from the proposed rule as there are minor editorial changes which affect the form rather than the substance of the rule. See attached letter.

The rule as adopted differs from the proposed rule. The differences however are:
Within the scope of the matters in the Notice of Proposed Rule Adoption, the logical outgrowth of the contents of the Notice of Proposed Rule Adoption and the comments submitted in response thereto, and
The Notice of Proposed Rule Adoption provided fair warning that the outcome of the proposed rule adoption could be the rule in question.

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Effective Date of Rule: October 1, 2009

Signature and Title of Person Submitting Rule for Filing

SAS FORM APA 002
Effective Date 07/29/2005

