

*****Adopted*****
AMENDMENT No. 1 PROPOSED TO

Senate Bill NO. 2713

By Senator(s) Gordon

1 AMEND on line 105 by inserting after the comma the language
2 "as defined in Section 25-3-91,"

3 FURTHER, amend by inserting the following after line 135 and
4 renumbering the succeeding paragraphs:

5 (e) If an employee is aggrieved by the decision of his
6 or her appointing authority that the employee is not eligible to
7 receive donated leave because the injury or illness of the
8 employee or member of the employee's immediate family is not, in
9 the appointing authority's determination, a catastrophic injury or
10 illness, the employee may appeal the decision to the employee
11 appeals board.

12 FURTHER, amend on line 8 by inserting the following section
13 and renumbering the succeeding sections:

14 SECTION 1. Section 25-3-93, Mississippi Code of 1972, is
15 reenacted and amended as follows:

16 25-3-93. (1) (a) Except as provided in subsection (1)(b),
17 all employees and appointed officers of the State of Mississippi,
18 who are employees as defined in Section 25-3-91, shall be allowed
19 credit for personal leave computed as follows:

Continuous Service	Accrual Rate (Monthly)	Accrual Rate (Annually)
1 month to 3 years	12 hours per month	18 days per year
37 months to 8 years	14 hours per month	21 days per year

97 months to 15 years 16 hours per month 24 days per year
Over 15 years 18 hours per month 27 days per year

Provided, however, employees who were hired prior to July 1, 1984, who have continuous service of more than five (5) years but not more than eight (8) years shall accrue fifteen (15) hours of personal leave each month.

(b) Temporary employees who work less than a full workweek and part-time employees shall be allowed credit for personal leave computed on a pro rata basis. Faculty members employed by the eight (8) public universities on a nine-month contract and recipients of full-time educational leave, while on such leave, shall not be eligible for personal leave.

(2) For the purpose of computing credit for personal leave, each appointed officer or employee shall be considered to work not more than five (5) days each week. Leaves of absence granted by the appointing authority for one (1) year or less shall be permitted without forfeiting previously accumulated continuous service. The provisions of this section shall not apply to military leaves of absence. The time for taking personal leave, except when such leave is taken due to an illness, shall be determined by the appointing authority of which such employees are employed.

(3) For the purpose of Sections 25-3-91 through 25-3-99, the earned personal leave of each employee shall be credited monthly after the completion of each calendar month of service, and the appointing authority shall not increase the amount of personal leave to an employee's credit. It shall be unlawful for an appointing authority to grant personal leave in an amount greater than was earned and accumulated by the officer or employee.

(4) Employees are encouraged to use earned personal leave. Personal leave may be used for vacations and personal business as scheduled by the appointing authority and shall be used for illnesses of the employee requiring absences of one (1) day or

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less. Accrued personal or compensatory leave shall be used for the first day of an employee's illness requiring his absence of more than one (1) day. Accrued personal or compensatory leave may also be used for an illness in the employee's immediate family as defined in Section 25-3-95. There shall be no limit to the accumulation of personal leave. Upon termination of employment each employee shall be paid for not more than thirty (30) days of accumulated personal leave. Unused personal leave in excess of thirty (30) days shall be counted as creditable service for the purposes of the retirement system as provided in Sections 25-11-103 and 25-13-5.

(5) Any officer of the Mississippi Highway Safety Patrol who is injured by wound or accident in the line of duty shall not be required to use earned personal leave during the period of recovery from such injury.

(6) Any employee may donate a portion of his or her earned personal leave to another employee who is suffering from a catastrophic injury or illness, or to another employee who has a member of his or her immediate family who is suffering from a catastrophic injury or illness, in accordance with subsection (8) of Section 25-3-95.

This subsection (6) shall stand repealed from and after July 1, 2000.

FURTHER, amend the title to conform.