SENATE BILL NO. 2985

AN ACT TO AMEND SECTION 25-3-92, MISSISSIPPI CODE OF 1972, TO REVOKE THE REQUIREMENTS FOR RECEIVING COMPENSATORY TIME FOR CERTAIN EMERGENCY WORKERS; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 25-3-92, Mississippi Code of 1972, is amended as follows:

25-3-92. (1) When, in the opinion of the appointing authority, it is essential that a state employee work after normal working hours, the employee may receive credit for compensatory leave. Except as otherwise provided in Section 37-13-89, when, in the opinion of the appointing authority, it is essential that a state employee work during an official state holiday, the employee shall receive credit for compensatory leave.

(2) State employees may be granted administrative leave with pay. For the purposes of this section, "administrative leave" means discretionary leave with pay, other than personal leave or major medical leave.

(a) The appointing authority may grant administrative leave to any employee serving as a witness or juror or party litigant, as verified by the clerk of the court, in addition to any fees paid for such services, and such services or necessary appearance in any court shall not be counted as personal leave.

(b) The Governor or the appointing authority may grant administrative leave with pay to state employees on a local or statewide basis in the event of extreme weather conditions or in the event of a manmade, technological or natural disaster or emergency. Emergency workers, including the fire fighters of the
Mississippi Military Department, who are required to work at those
times when the Governor grants such administrative leave to other
state employees, shall receive compensatory leave for the hours
they work.

(c) The appointing authority may grant administrative
leave with pay to any employee who is a certified disaster service
volunteer of the American Red Cross who participates in
specialized disaster relief services for the American Red Cross in
this state and in states contiguous to this state when the
American Red Cross requests the employee's participation.
Administrative leave granted under this paragraph shall not exceed
twenty (20) days in any twelve-month period. An employee on leave
under this paragraph shall not be deemed to be an employee of the
state for purposes of workers' compensation or for purposes of
claims against the state allowed under Chapter 46, Title 11,
Mississippi Code of 1972. As used in this paragraph, the term
"disaster" includes disasters designated at level II and above in
American Red Cross national regulations and procedures.

SECTION 2. This act shall take effect and be in force from
and after July 1, 2001.