

By: Senator(s) Carmichael (By Request)

To: Fees, Salaries and Administration

SENATE BILL NO. 2985

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

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

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

7 25-3-92. (1) When, in the opinion of the appointing  
8 authority, it is essential that a state employee work after normal  
9 working hours, the employee may receive credit for compensatory  
10 leave. Except as otherwise provided in Section 37-13-89, when, in  
11 the opinion of the appointing authority, it is essential that a  
12 state employee work during an official state holiday, the employee  
13 shall receive credit for compensatory leave.

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

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

23 (b) The Governor or the appointing authority may grant  
24 administrative leave with pay to state employees on a local or  
25 statewide basis in the event of extreme weather conditions or in  
26 the event of a manmade, technological or natural disaster or  
27 emergency. Emergency workers, including the fire fighters of the

28 Mississippi Military Department, who are required to work at those  
29 times when the Governor grants such administrative leave to other  
30 state employees, shall receive compensatory leave for the hours  
31 they work.

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

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