HOUSE BILL NO. 246

AN ACT TO AMEND SECTION 25-3-92, MISSISSIPPI CODE OF 1972, TO AUTHORIZE STATE AGENCIES TO GRANT ADMINISTRATIVE LEAVE WITH PAY TO EMPLOYEES WHO ARE CERTIFIED DISASTER SERVICE VOLUNTEERS OF THE AMERICAN RED CROSS PARTICIPATING IN RELIEF SERVICES WITHIN ANY STATE IN THE UNITED STATES; 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.

(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 within any state in the United States 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 retroactively from and after September 10, 2001.