

By: Senator(s) Dawkins

To: Fees, Salaries and
Administration;
Appropriations

SENATE BILL NO. 2419

1 AN ACT TO AMEND SECTION 25-3-93, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT THE ACCRUAL RATE OF PERSONAL LEAVE SHALL BE BASED ON
3 ACTUAL SERVICE INSTEAD OF CONTINUOUS SERVICE; AND FOR RELATED
4 PURPOSES.

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

6 **SECTION 1.** Section 25-3-93, Mississippi Code of 1972, is
7 amended as follows:

8 25-3-93. (1) (a) Except as provided in subsection (1)(b),
9 all employees and appointed officers of the State of Mississippi,
10 who are employees as defined in Section 25-3-91, shall be allowed
11 credit for personal leave computed as follows:

12	* * *	Accrual Rate	Accrual Rate
13	Service	(Monthly)	(Annually)
14	1 month to 3 years	12 hours per month	18 days per year
15	37 months to 8 years	14 hours per month	21 days per year
16	97 months to 15 years	16 hours per month	24 days per year
17	Over 15 years	18 hours per month	27 days per year

18 From and after July 1, 2003, the accrual rate of personal
19 leave shall be based on the months of actual service, regardless
20 of whether the service was continuous.

21 (b) Temporary employees who work less than a full
22 workweek and part-time employees shall be allowed credit for
23 personal leave computed on a pro rata basis. Faculty members
24 employed by the eight (8) public universities on a nine-month
25 contract, temporary employees of the public universities who work
26 less than twenty (20) hours per week for a period of less than
27 five (5) months during a fiscal year, and recipients of full-time



28 educational leave, while on such leave, shall not be eligible for
29 personal leave.

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

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

47 (4) Employees are encouraged to use earned personal leave.
48 Personal leave may be used for vacations and personal business as
49 scheduled by the appointing authority and shall be used for
50 illnesses of the employee requiring absences of one (1) day or
51 less. Accrued personal or compensatory leave shall be used for
52 the first day of an employee's illness requiring his absence of
53 more than one (1) day. Accrued personal or compensatory leave may
54 also be used for an illness in the employee's immediate family as
55 defined in Section 25-3-95. There shall be no limit to the
56 accumulation of personal leave. Upon termination of employment
57 each employee shall be paid for not more than thirty (30) days of
58 accumulated personal leave. Unused personal leave in excess of
59 thirty (30) days shall be counted as creditable service for the



60 purposes of the retirement system as provided in Sections
61 25-11-103 and 25-13-5.

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

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

72 This subsection shall stand repealed from and after July 1,
73 2000.

74 **SECTION 2.** This act shall take effect and be in force from
75 and after July 1, 2003.

