

By: Representatives Broomfield, Bailey,
Banks, Blackmon, Buck, Burnett, Coleman
(29th), Dickson, Espy, Fredericks, Green,
Hines, Mayo, Middleton, Myers, Read,
Straughter, West

To: Education

HOUSE BILL NO. 968

1 AN ACT TO AMEND SECTION 37-9-39, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT AT THE REQUEST OF A LICENSED PUBLIC SCHOOL
3 ADMINISTRATOR, A LICENSED CLASSROOM TEACHER OR AN ASSISTANT
4 TEACHER, THE SUPERINTENDENT OF SCHOOLS SHALL MAKE THE PERSON'S
5 SALARY PAYABLE IN EQUAL MONTHLY OR SEMIMONTHLY INSTALLMENTS FOR A
6 PERIOD OF MONTHS IN EXCESS OF THE NUMBER OF MONTHS FOR WHICH THE
7 SCHOOL IS TO BE OPERATED, BUT NOT EXCEEDING TWELVE (12) MONTHS;
8 AND FOR RELATED PURPOSES.

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

10 **SECTION 1.** Section 37-9-39, Mississippi Code of 1972, is
11 amended as follows:

12 37-9-39. Salary or wages paid to any employee of any school
13 shall be paid on a basis as determined by the local school board
14 of each school district, except for December, when salaries or
15 wages shall be paid by the last working day. However, at the
16 request of a licensed public school administrator, a licensed
17 classroom teacher or an assistant teacher, the superintendent of
18 schools shall make the salary payable in equal monthly or
19 semimonthly installments for a period of months in excess of the
20 number of months for which the school is to be operated, but not
21 exceeding twelve (12) months. Salaries or wages shall be paid at
22 a minimum on a monthly basis. Any school employee whose
23 employment ends during a school term, regardless of the reason(s)
24 the employment ended, shall be paid salary or wages only for that
25 portion of the school term that employee actually worked. Nothing
26 in this section shall be construed to entitle any employee to
27 payment of salary or wages when no work has been performed;
28 however, this shall not prohibit the payment of salaries for a
29 period of months not to exceed twelve (12) months as authorized in
30 this section.

31 **SECTION 2.** This act shall take effect and be in force from
32 and after July 1, 2004.