

By: Representatives Brown, Watson

To: Appropriations

HOUSE BILL NO. 8

1 AN ACT TO AMEND SECTION 25-9-126, MISSISSIPPI CODE OF 1972,  
2 TO AUTHORIZE THE FURLOUGH OF STATE EMPLOYEES WHENEVER A STATE OF  
3 EMERGENCY HAS BEEN DECLARED AND TO ALLOW THOSE EMPLOYEES TO  
4 CONTINUE TO RECEIVE THEIR HEALTH AND LIFE INSURANCE BENEFITS FOR A  
5 CERTAIN PERIOD OF TIME; TO AMEND SECTION 25-15-3, MISSISSIPPI CODE  
6 OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 25-9-126, Mississippi Code of 1972, is  
9 amended as follows:

10 25-9-126. (1) In the event that federal funds for the  
11 funding of programs of any state agency shall be restricted or  
12 limited, the administrative board of such agency or agency  
13 administrative head shall have the authority to furlough rather  
14 than dismiss employees in accordance with rules and regulations  
15 established by the State Personnel Board.

16 (2) Whenever, under the Mississippi Emergency Management  
17 Law, Sections 33-15-1 through 33-15-49, a state of emergency or a  
18 local emergency is declared to exist in this state, and federal or  
19 state funding is restricted or limited, the administrative board  
20 of such agency or agency administrative head shall have the  
21 authority to furlough rather than dismiss employees of that  
22 agency. During furlough leave, such employees may continue to  
23 receive their health and life insurance benefits funded by the  
24 state for a period not to exceed six (6) months.

25 (3) The State Personnel Board is authorized to promulgate  
26 rules and regulations to carry out the provisions of this section.

27 **SECTION 2.** Section 25-15-3, Mississippi Code of 1972, is  
28 amended as follows:

29           **[Through June 30 of the year in which Section 25-11-143**  
30 **becomes effective as provided in subsection (1) of Section**  
31 **25-11-143, this section shall read as follows:]**

32           25-15-3. For the purposes of this article, the words and  
33 phrases used herein shall have the following meanings:

34           (a) "Employee" means a person who works full time for  
35 the State of Mississippi and receives his compensation in a direct  
36 payment from a department, agency or institution of the state  
37 government and any person who works full time for any school  
38 district, community/junior college, public library or  
39 university-based program authorized under Section 37-23-31 for  
40 deaf, aphasic and emotionally disturbed children or any regular  
41 nonstudent bus driver. This shall include legislators, employees  
42 of the legislative branch and the judicial branch of the state and  
43 "employees" shall include full-time salaried judges and full-time  
44 district attorneys and their staff and full-time compulsory school  
45 attendance officers. For the purposes of this article, any  
46 "employee" making contributions to the State of Mississippi  
47 retirement plan shall be considered a full-time employee. The  
48 term "employee" shall also include those employees who have been  
49 furloughed pursuant to Section 25-9-126(2).

50           (b) "Department" means the Department of Finance and  
51 Administration.

52           (c) "Plan" means the State and School Employees Life  
53 and Health Insurance Plan created under this article.

54           (d) "Fund" means the State and School Employees  
55 Insurance Fund set up under this article.

56           (e) "Retiree" means any employee retired under the  
57 Mississippi retirement plan.

58           (f) "Board" means the State and School Employees Health  
59 Insurance Management Board created under Section 25-15-303.

60           **[From and after July 1 of the year in which Section 25-11-143**  
61 **becomes effective as provided in subsection (1) of Section**  
62 **25-11-143, this section shall read as follows:]**

63           25-15-3. For the purposes of this article, the words and  
64 phrases used in this section shall have the following meanings:

65           (a) "Employee" means a person who works full time for  
66 the State of Mississippi and receives his compensation in a direct  
67 payment from a department, agency or institution of the state  
68 government, and any person who works full time for any school  
69 district, community/junior college, public library,  
70 university-based program authorized under Section 37-23-31 for  
71 deaf, aphasic and emotionally disturbed children, or any regular  
72 nonstudent bus driver. This term includes legislators, employees  
73 of the legislative branch and the judicial branch of the state,  
74 full-time salaried judges and full-time district attorneys and  
75 their staff, and full-time compulsory school attendance officers.  
76 For the purposes of this article, any "employee" making  
77 contributions to the Public Employees' Retirement System or the  
78 Highway Safety Patrol Retirement System shall be considered a  
79 full-time employee. The term "employee" shall also include those  
80 employees who have been furloughed pursuant to Section  
81 25-9-126(2).

82           (b) "Department" means the Department of Finance and  
83 Administration.

84           (c) "Plan" means the State and School Employees Life  
85 and Health Insurance Plan created under this article.

86           (d) "Fund" means the State and School Employees  
87 Insurance Fund set up under this article.

88           (e) "Board" means the State and School Employees Health  
89 Insurance Management Board created under Section 25-15-303.

90           **SECTION 3.** This act shall take effect and be in force from  
91 and after its passage.