

By: Representatives Moss, Cummings

To: Fees and Salaries of
Public Officers;
Appropriations

HOUSE BILL NO. 168

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

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

7 **SECTION 1.** Section 25-3-92, Mississippi Code of 1972, is
8 amended as follows:

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

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

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

25 (b) The Governor or the appointing authority may grant
26 administrative leave with pay to state employees on a local or
27 statewide basis in the event of extreme weather conditions or in

28 the event of a manmade, technological or natural disaster or
29 emergency.

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

44 **SECTION 2.** This act shall take effect and be in force
45 retroactively from and after September 10, 2001.