

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.