

By: Representative Franks

To: Education;
Appropriations

HOUSE BILL NO. 904

1 AN ACT TO AMEND SECTION 37-6-13, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE MEMBERS OF SCHOOL BOARDS TO BECOME MEMBERS OF THE PUBLIC
3 EMPLOYEES' RETIREMENT SYSTEM; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 37-6-13, Mississippi Code of 1972, is
6 amended as follows:

7 37-6-13. (1) Each person serving as a member of the school
8 board of any school district shall receive per diem in the amount
9 of Sixty-seven Dollars (\$67.00) for no more than thirty-six (36)
10 meetings of the school board during any one (1) fiscal year or, in
11 his or her discretion, irrevocably may choose to receive as
12 compensation for his or her services an annual salary in the
13 amount of Two Thousand Four Hundred Dollars (\$2,400.00), which
14 choice shall remain in force for all successive terms or periods
15 of service of that member. The receipt of the compensation shall
16 not entitle any member of a school board to receive or be eligible
17 for any state employee group insurance * * * or other fringe
18 benefits. However, any member of a school board may become a
19 member of the Public Employees' Retirement System if that school
20 board member meets the eligibility requirements prescribed under
21 Article 3, Chapter 11, Title 25, Mississippi Code of 1972. Any
22 member of a school board electing to become a member of the Public
23 Employees' Retirement System shall receive credit for service
24 performed after becoming a member of the system, but no credit may
25 be granted retroactively for services rendered as a school board
26 member before the school board member's date of entry into the
27 retirement system. Each member shall be reimbursed for the

28 necessary expenses and mileage in attending meetings of the school
29 board. In addition to the foregoing, all members may be
30 reimbursed for mileage and actual expenses incurred in the further
31 performance of their duties, including attendance at any mandatory
32 school board training session or at regional and national
33 education meetings, when such mileage and other expenses are
34 authorized by the board prior to the date on which they occur.
35 Detailed vouchers shall be submitted for reimbursement for all
36 expenses authorized by this section. Such reimbursement shall be
37 in accordance with Section 25-3-41.

38 Such expenses shall be paid on order of the school board by
39 pay certificates issued by the superintendent of the school
40 district involved against the funds available for payment of the
41 administrative expense of the district.

42 (2) (a) If a member of a school board misses twenty percent
43 (20%) or more of the meetings of the school board during a
44 calendar year, except for absences caused by required military
45 duty, the member must reimburse the school district that portion
46 of the total salary paid to the member that year which is
47 proportionate to the number of meetings missed by the member in
48 relation to the total number of school board meetings held during
49 that year. For purposes of this subsection, consideration may be
50 given only to meetings of which public notice is required.

51 (b) Before February 1 of each year, the president of
52 each local school board shall submit a report to the State Board
53 of Education containing the names of any members of the school
54 board who missed twenty percent (20%) or more of the school board
55 meetings during the preceding calendar year.

56 **SECTION 2.** The Attorney General of the State of Mississippi
57 shall submit this act, immediately upon approval by the Governor,
58 or upon approval by the Legislature subsequent to a veto, to the
59 Attorney General of the United States or to the United States
60 District Court for the District of Columbia in accordance with the

61 provisions of the Voting Rights Act of 1965, as amended and
62 extended.

63 **SECTION 3.** This act shall take effect and be in force from
64 and after July 1, 2006, if it is effectuated on or before that
65 date under Section 5 of the Voting Rights Act of 1965, as amended
66 and extended. If it is effectuated under Section 5 of the Voting
67 Rights Act of 1965, as amended and extended, after July 1, 2006,
68 this act shall take effect and be in force from and after the date
69 it is effectuated under Section 5 of the Voting Rights Act of
70 1965, as amended and extended.