

By: Representative Blackmon

To: Labor

HOUSE BILL NO. 1426

1 AN ACT TO CREATE SECTION 71-1-50, MISSISSIPPI CODE OF 1972,
2 TO REQUIRE EMPLOYERS TO GRANT LEAVE TO VICTIMS OF VIOLENCE; AND
3 FOR RELATED PURPOSES.

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

5 **SECTION 1.** The following shall be codified as Section
6 71-1-50, Mississippi Code of 1972:

7 71-1-50. (1) An employer must grant reasonable and
8 necessary leave from work, with or without pay, for an employee
9 to:

10 (a) Prepare for and attend court proceedings as a
11 result of domestic violence, sexual assault or stalking;

12 (b) Receive medical treatment necessary as a result of
13 domestic violence, sexual assault or stalking; or

14 (c) Obtain necessary services to remedy a crisis caused
15 by domestic violence, sexual assault or stalking.

16 (2) The leave must be needed because the employee is a
17 victim of abuse as defined by Section 93-21-3(a), sexual assault
18 as defined by Sections 97-3-65, 97-3-71 or 97-3-95, stalking as
19 defined by Section 97-3-107(1) or any act that would support an
20 order for protection under Section 93-21-1 et seq. An employer
21 may not sanction an employee or deprive an employee of pay or
22 benefits for exercising a right granted by this section.

23 (3) Subsections (1) and (2) of this section are not violated
24 if:

25 (a) The employer would sustain undue hardship from the
26 victim's absence; or

27 (b) The requested leave is impractical, unreasonable or
28 unnecessary based on the facts then made known to the employer.

29 (4) This section applies to all public and private
30 employers, including the state and its political subdivisions.

31 **SECTION 2.** This act shall take effect and be in force from
32 and after July 1, 2006.