

By: Senator(s) Gordon, Browning, Butler, Carmichael, Frazier, Harden, Jackson (15th), Jackson (11th), Jackson (32nd), Mettetal, Nunnelee, Posey, Walls

To: Fees, Salaries and Administration

COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 2972

1 AN ACT TO AMEND SECTION 25-3-93, MISSISSIPPI CODE OF 1972, TO  
2 PROVIDE THAT ANY LAW ENFORCEMENT OFFICER OF ANY STATE AGENCY  
3 INJURED IN THE LINE OF DUTY SHALL NOT BE REQUIRED TO USE PERSONAL  
4 LEAVE DURING THE RECOVERY PERIOD; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 25-3-93, Mississippi Code of 1972, is  
7 amended as follows:

8 25-3-93. (1) (a) Except as provided in subsection (1)(b),  
9 all employees and appointed officers of the State of Mississippi,  
10 who are employees as defined in Section 25-3-91, shall be allowed  
11 credit for personal leave computed as follows:

12	Continuous	Accrual Rate	Accrual Rate
13	Service	(Monthly)	(Annually)
14	1 month to 3 years	12 hours per month	18 days per year
15	37 months to 8 years	14 hours per month	21 days per year
16	97 months to 15 years	16 hours per month	24 days per year
17	Over 15 years	18 hours per month	27 days per year

18 However, employees who were hired prior to July 1, 1984, who  
19 have continuous service of more than five (5) years but not more  
20 than eight (8) years shall accrue fifteen (15) hours of personal  
21 leave each month.

22 (b) Temporary employees who work less than a full  
23 workweek and part-time employees shall be allowed credit for  
24 personal leave computed on a pro rata basis. Faculty members  
25 employed by the eight (8) public universities on a nine-month  
26 contract, and employees of the public universities who do not  
27 contribute to the Mississippi Public Employees' Retirement System

28 or the State Institutions of Higher Learning Optional Retirement  
29 Program, shall not be eligible for personal leave.

30 (2) For the purpose of computing credit for personal leave,  
31 each appointed officer or employee shall be considered to work not  
32 more than five (5) days each week. Leaves of absence granted by  
33 the appointing authority for one (1) year or less shall be  
34 permitted without forfeiting previously accumulated continuous  
35 service. The provisions of this section shall not apply to  
36 military leaves of absence. The time for taking personal leave,  
37 except when such leave is taken due to an illness, shall be  
38 determined by the appointing authority of which such employees are  
39 employed.

40 (3) For the purpose of Sections 25-3-91 through 25-3-99, the  
41 earned personal leave of each employee shall be credited monthly  
42 after the completion of each calendar month of service, and the  
43 appointing authority shall not increase the amount of personal  
44 leave to an employee's credit. It shall be unlawful for an  
45 appointing authority to grant personal leave in an amount greater  
46 than was earned and accumulated by the officer or employee.

47 (4) Employees are encouraged to use earned personal leave.  
48 Personal leave may be used for vacations and personal business as  
49 scheduled by the appointing authority and shall be used for  
50 illnesses of the employee requiring absences of one (1) day or  
51 less. Accrued personal or compensatory leave shall be used for  
52 the first day of an employee's illness requiring his absence of  
53 more than one (1) day. Accrued personal or compensatory leave may  
54 also be used for an illness in the employee's immediate family as  
55 defined in Section 25-3-95. There shall be no limit to the  
56 accumulation of personal leave. Upon termination of employment  
57 each employee shall be paid for not more than thirty (30) days of  
58 accumulated personal leave. Unused personal leave in excess of  
59 thirty (30) days shall be counted as creditable service for the

60 purposes of the retirement system as provided in Sections  
61 25-11-103 and 25-13-5.

62 (5) Any law enforcement officer of any state agency who is  
63 injured by wound or accident in the line of duty shall not be  
64 required to use earned personal leave during the period of  
65 recovery from such injury.

66 (6) Any employee may donate a portion of his or her earned  
67 personal leave to another employee who is suffering from a  
68 catastrophic injury or illness, or to another employee who has a  
69 member of his or her immediate family who is suffering from a  
70 catastrophic injury or illness, in accordance with subsection (8)  
71 of Section 25-3-95.

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