

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

To: Fees, Salaries and Administration

SENATE BILL NO. 2972
(As Passed the Senate)

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

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

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

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

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

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

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

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

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

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

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

61 purposes of the retirement system as provided in Sections
62 25-11-103 and 25-13-5.

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

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

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