

By: Representative DeLano

To: Accountability,  
Efficiency, Transparency

HOUSE BILL NO. 224

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 STATE EMPLOYEES WHO ARE SENIOR MEMBERS OF THE MISSISSIPPI WING OF  
4 THE CIVIL AIR PATROL PARTICIPATING IN EMERGENCY SERVICES; AND FOR  
5 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 man-made, technological or natural disaster or  
29 emergency. Any employee on a previously approved leave during the  
30 affected period shall be eligible for such administrative leave  
31 granted by the Governor or appointing authority, and shall not be  
32 charged for his previously approved leave during the affected  
33 period.

34 (c) The appointing authority may grant administrative  
35 leave with pay to any employee who is a certified disaster service  
36 volunteer of the American Red Cross who participates in  
37 specialized disaster relief services for the American Red Cross in  
38 this state and in states contiguous to this state when the  
39 American Red Cross requests the employee's participation.  
40 Administrative leave granted under this paragraph shall not exceed  
41 twenty (20) days in any twelve-month period. An employee on leave  
42 under this paragraph shall not be deemed to be an employee of the  
43 state for purposes of workers' compensation or for purposes of  
44 claims against the state allowed under Chapter 46, Title 11,



45 Mississippi Code of 1972. As used in this paragraph, the term  
46 "disaster" includes disasters designated at Level II and above in  
47 American Red Cross national regulations and procedures.

48 (d) The appointing authority may grant administrative  
49 leave with pay to any employee who is an active senior member of  
50 the Mississippi Wing of the Civil Air Patrol who participates in  
51 emergency services for the Civil Air Patrol in this or a  
52 contiguous state when the Civil Air Patrol requests the employee's  
53 participation. Administrative leave granted under this paragraph  
54 may not exceed twenty (20) days in any twelve-month period. An  
55 employee on leave under this paragraph may not be deemed to be an  
56 employee of the state for purposes of workers' compensation or for  
57 purposes of claims against the state allowed under Chapter 46,  
58 Title 11, Mississippi Code of 1972.

59 **SECTION 2.** This act shall take effect and be in force from  
60 and after July 1, 2018.

