

By: Senator(s) DeBar

To: Appropriations;  
Corrections

SENATE BILL NO. 2199

1 AN ACT TO PROVIDE THAT UPON THE TERMINATION OF EMPLOYMENT OR  
 2 DEATH OF ANY CORRECTIONS OFFICER, OTHER LAW ENFORCEMENT STAFF OR  
 3 OTHER EMPLOYEE WHO WORKS IN ANY OF THE CORRECTIONAL FACILITIES  
 4 UNDER THE JURISDICTION OF THE MISSISSIPPI DEPARTMENT OF  
 5 CORRECTIONS, THE DEPARTMENT SHALL PAY THE OFFICER OR EMPLOYEE OR  
 6 HIS OR HER ESTATE, AS APPROPRIATE, FOR ALL COMPENSATORY LEAVE  
 7 ACCUMULATED BY THE OFFICER OR EMPLOYEE; TO AMEND SECTION 25-9-119,  
 8 MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS;  
 9 AND FOR RELATED PURPOSES.

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

11 **SECTION 1.** Upon the termination of employment or death of  
 12 any corrections officer, other law enforcement staff or other  
 13 employee who works in any of the correctional facilities under the  
 14 jurisdiction of the Mississippi Department of Corrections, the  
 15 department shall pay the officer or employee or his or her estate,  
 16 as appropriate, for all compensatory leave accumulated by the  
 17 officer or employee.

18 **SECTION 2.** Section 25-9-119, Mississippi Code of 1972, is  
 19 amended as follows:

20 25-9-119. (1) There is created the position of the State  
 21 Personnel Director who shall be selected by the State Personnel



22 Board, with the advice and consent of the Senate. The director  
23 shall have at least a Juris Doctor degree from an accredited law  
24 school or a master's degree in business administration, personnel  
25 management or the equivalent and shall have not less than five (5)  
26 years' experience therein. His salary shall be in accordance with  
27 the Mississippi Compensation Plan. The State Personnel Director  
28 shall serve at the will and pleasure of the State Personnel Board.

29 (2) The duties and responsibilities of the director shall  
30 be:

31 (a) To serve as executive secretary to the board, to  
32 attend meetings as directed by the board and to provide such  
33 professional, technical and other supportive assistance as may be  
34 required by the board in the performance of its duties;

35 (b) Consistent with board policy, to administer the  
36 operations of the State Personnel System and to otherwise act in  
37 the capacity of Chief Executive Officer to the State Personnel  
38 Board;

39 (c) To submit for board approval proposed rules and  
40 regulations which shall require a uniform system of personnel  
41 administration within all agencies included in this chapter. Such  
42 rules and regulations, when approved by the board, shall be  
43 binding upon the state departments, agencies and institutions  
44 covered by this chapter, except as otherwise provided by law, and  
45 shall include provisions for the establishment and maintenance of  
46 classification and compensation plans, the conduct of



47 examinations, employee recruiting, employee selection, the  
48 certification of eligible persons, appointments, promotions,  
49 transfers, demotions, separations, reinstatement, appeals, reports  
50 of performance, payroll certification, employee training, vacation  
51 and sick leave, compensatory leave, administrative leave,  
52 standardized recordkeeping forms and procedures for leave earned,  
53 accrued and used, and all other phases of personnel  
54 administration. Such rules and regulations shall not be  
55 applicable to the emergency hiring of employees by the Public  
56 Employees' Retirement System pursuant to Section 25-11-15(7).  
57 Copies of the rules and regulations, or modifications thereto, as  
58 are approved by the State Personnel Board, shall be provided to  
59 the Chairmen of the Accountability, Efficiency and Transparency  
60 Committee of the Senate and the Fees and Salaries of Public  
61 Officers Committee of the House of Representatives, the Lieutenant  
62 Governor and the Governor at least sixty (60) days before their  
63 effective date. The respective parties may submit comments to the  
64 board regarding such rules and regulations before their effective  
65 date;

66 (i) Compensation plans and modifications thereto  
67 promulgated under rules and regulations shall become effective as  
68 adopted, upon appropriation therefor by the State Legislature;

69 (ii) The director and the board shall provide for:

70 1. Cost-of-living adjustments;



71                   2. Salary increases for outstanding  
72 performance based upon documented employee productivity and  
73 exceptional performance in assigned duties; and

74                   3. Plans to compensate employees for  
75 suggestions which result in improved management in technical or  
76 administrative procedures and result in documented cost savings  
77 for the state. In certifying promotions, the director shall  
78 ensure that an employee's anniversary date remains the same  
79 regardless of the date of his promotion;

80                   (d) To submit to the board any proposed legislation as  
81 may be necessary to bring existing statutes relating to the  
82 administration of public employees into uniformity;

83                   (e) To administer the rules and regulations and all  
84 other operational aspects of the State Personnel System and to  
85 assure compliance therewith in all the departments, agencies and  
86 institutions covered by the State Personnel System;

87                   (f) To appoint and prescribe the duties of the State  
88 Personnel System staff, all positions of which shall be included  
89 in the state service;

90                   (g) To prepare an annual budget for the board covering  
91 all the costs of operating the State Personnel System, including  
92 the State Personnel Board, and the costs of administering such  
93 federal laws relating to personnel administration as the board may  
94 direct, including the Intergovernmental Personnel Act of 1970;



95 (h) To assist state agencies, departments and  
96 institutions in complying with all applicable state and federal  
97 statutes and regulations concerning discrimination in employment,  
98 personnel administration and related matters;

99 (i) To recommend procedures for the establishment and  
100 abolishment of employment positions within those departments,  
101 agencies and institutions not excluded from this chapter; and

102 (j) To cooperate with appointing authorities in the  
103 administration of this chapter in order to promote public service  
104 and establish conditions of service which will attract and retain  
105 employees of character and capacity and to increase efficiency and  
106 economy in governmental departments by the improvement of methods  
107 of personnel administration with full recognition of the  
108 requirements and needs of management.

109 (3) From and after July 1, 2016, the State Personnel Board  
110 shall not charge another state agency a fee, assessment, or other  
111 charge for services or resources received by that agency from the  
112 State Personnel Board.

113 (4) From and after July 1, 2016, the expenses of this agency  
114 shall be defrayed by appropriation from the State General Fund and  
115 all user charges and fees authorized under this section shall be  
116 deposited into the State General Fund as authorized by law.

117 **SECTION 3.** This act shall take effect and be in force from  
118 and after July 1, 2021.

