

By: Representatives Stamps, Carpenter, Hale

To: Municipalities;
Appropriations

HOUSE BILL NO. 938

1 AN ACT TO AUTHORIZE ANY GOVERNMENTAL ENTITY TO ESTABLISH A
2 FIRST RESPONDERS INCENTIVE PROGRAM; TO REQUIRE A GOVERNMENTAL
3 ENTITY ELECTING TO ESTABLISH AN INCENTIVE PROGRAM TO ADOPT A
4 RESOLUTION OR ORDINANCE OR REGULATION SETTING FORTH CERTAIN
5 REQUIREMENTS FOR THE PROGRAM; TO AUTHORIZE THE PAYMENT OF A SALARY
6 SUPPLEMENT TO EMPLOYEES SELECTED FOR RECOGNITION UNDER THE
7 PROGRAM; AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** (1) Any governmental entity in its discretion,
10 may establish a First Responders Incentive Program to recognize
11 police officers, firefighters and other workers for exemplary
12 performance and achievement.

13 As used under this act, "first responders" means state and
14 local law enforcement personnel, fire department personnel,
15 emergency medical personnel, emergency management personnel and
16 public works personnel who may be deployed to bioterrorism
17 attacks, terrorist attacks, catastrophic or natural disasters and
18 emergencies.

19 (2) A governmental entity electing to establish a First
20 Responders Incentive Program authorized under this section shall



21 adopt a resolution or ordinance creating the program, which must
22 be spread upon the minutes of the governmental entity. The
23 resolution or ordinance or regulation must include, at a minimum,
24 provisions addressing the following:

25 (a) Which department or office of the governmental
26 entity is responsible for the administration of the program;

27 (b) An explanation of how the program works, including
28 how employees may be identified for recognition under the program;

29 (c) A description of how decisions will be made on
30 whether or not an employee recommended for recognition qualifies
31 for the recognition, and if so, the amount of any salary
32 supplement to be granted to that employee;

33 (d) A clear description of which employment positions
34 are entitled to receive recognition under the program;

35 (e) Examples of employee achievements which merit
36 recognition under the program, including, but not limited to:

37 (i) Successful completion of additional academic
38 college coursework that is relevant to the person's job while that
39 person is employed by the county or municipality or state as a
40 police officer, firefighter or other essential worker;

41 (ii) Attainment of certification through a
42 nonmandatory professional class or program offered to police
43 officers, firefighters or other workers;

44 (iii) Exemplary job performance, supported by
45 employee performance evaluations;



46 (iv) Heroic or exemplary service or commitment
47 beyond the requirements of the job during a public emergency or
48 disaster; and

49 (v) Such other acts or achievements described in
50 the resolution or ordinance;

51 (f) Rules establishing limitations, if any, on the
52 number of times a person may be recognized under the program, and
53 if allowed, specific rules relating to the maximum number of times
54 or frequency that an employee may be selected for recognition; and

55 (g) Any other rules that the governmental entity
56 determines is essential to creating a program that is able to be
57 operated in a fair, unbiased manner for all employees qualified
58 for recognition.

59 (3) In order to incentivize employees to perform at their
60 highest ability, the governmental entity, in its discretion, may
61 authorize the awarding of a salary supplement to employees
62 selected for recognition under the First Responders Incentive
63 Program. A salary supplement awarded to an employee under the
64 program may be paid from any funds available to the governmental
65 entity other than state funds; provided, however, if the
66 governmental entity is the state, then state funds may be used. A
67 salary supplement may not exceed an amount equal to five percent
68 (5%) of that employee's annual salary in effect on the date the
69 employee is granted recognition under the program. The
70 governmental entity shall establish the terms of payment of the



71 salary supplement, which, in its discretion, may be made as a lump
72 sum payment or over a period of time. A supplement paid to an
73 employee under this section may not be considered earned
74 compensation for purposes of participation in the Public
75 Employees' Retirement System.

76 **SECTION 2.** This act shall take effect and be in force from
77 and after July 1, 2022.

