

By: Representatives Carpenter, Arnold,
Foster, Stamps

To: Military Affairs

HOUSE BILL NO. 1179

1 AN ACT TO AMEND SECTION 25-3-92, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE STATE AGENCIES TO GRANT UP TO TWENTY DAYS OF
3 ADMINISTRATIVE LEAVE WITH PAY WITHIN A TWELVE-MONTH PERIOD TO
4 EMPLOYEES WHO ARE QUALIFIED MEMBERS OF THE MISSISSIPPI WING OF THE
5 CIVIL AIR PATROL PARTICIPATING IN OFFICIAL EMERGENCY SERVICES
6 MISSIONS; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 25-3-92, Mississippi Code of 1972, is
9 amended as follows:

10 25-3-92. (1) When, in the opinion of the appointing
11 authority, it is essential that a state employee work after normal
12 working hours, the employee may receive credit for compensatory
13 leave. Except as otherwise provided in Section 37-13-89, when, in
14 the opinion of the appointing authority, it is essential that a
15 state employee work during an official state holiday, the employee
16 shall receive credit for compensatory leave.

17 (2) State employees may be granted administrative leave with
18 pay. For the purposes of this section, "administrative leave"
19 means discretionary leave with pay, other than personal leave or
20 major medical leave.



21 (a) The appointing authority may grant administrative
22 leave to any employee serving as a witness or juror or party
23 litigant, as verified by the clerk of the court, in addition to
24 any fees paid for such services, and such services or necessary
25 appearance in any court shall not be counted as personal leave.

26 (b) The Governor or the appointing authority may grant
27 administrative leave with pay to state employees on a local or
28 statewide basis in the event of extreme weather conditions or in
29 the event of a man-made, technological or natural disaster or
30 emergency. Any employee on a previously approved leave during the
31 affected period shall be eligible for such administrative leave
32 granted by the Governor or appointing authority, and shall not be
33 charged for his previously approved leave during the affected
34 period.

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



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

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

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

