

By: Representatives Carpenter, Arnold, Byrd, Hopkins To: Military Affairs

HOUSE BILL NO. 694

1 AN ACT TO AMEND SECTION 25-3-92, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE STATE AGENCIES TO GRANT UP TO SIX DAYS OF ADMINISTRATIVE
3 LEAVE WITH PAY WITHIN A SIX-MONTH PERIOD TO EMPLOYEES WHO ARE
4 QUALIFIED MEMBERS OF THE MISSISSIPPI WING OF THE CIVIL AIR PATROL
5 PARTICIPATING IN OFFICIAL EMERGENCY SERVICES MISSIONS; TO PROVIDE
6 THAT EMPLOYEES OF ANY PUBLIC OR PRIVATE BUSINESS OR INDUSTRY,
7 WHO ARE ACTIVE MEMBERS OF THE MISSISSIPPI WING OF THE CIVIL AIR
8 PATROL, MAY BE ENTITLED, IN THE DISCRETION OF AN EMPLOYEE'S
9 EMPLOYER, TO A LEAVE OF ABSENCE FROM THEIR RESPECTIVE DUTIES ON
10 ALL DAYS DURING WHICH THEY PARTICIPATE IN AN OFFICIAL OPERATIONAL
11 EMERGENCY SERVICES MISSION FOR THE CIVIL AIR PATROL IN THIS STATE
12 OR IN A STATE CONTIGUOUS TO THIS STATE WHEN THE CIVIL AIR PATROL
13 REQUESTS THE EMPLOYEE'S PARTICIPATION; AND FOR RELATED PURPOSES.

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

15 SECTION 1. Section 25-3-92, Mississippi Code of 1972, is
16 amended as follows:

17 25-3-92. (1) When, in the opinion of the appointing
18 authority, it is essential that a state employee work after normal
19 working hours, the employee may receive credit for compensatory
20 leave. Except as otherwise provided in Section 37-13-89, when, in
21 the opinion of the appointing authority, it is essential that a
22 state employee work during an official state holiday, the employee
23 shall receive credit for compensatory leave.



24 (2) State employees may be granted administrative leave with
25 pay. For the purposes of this section, "administrative leave"
26 means discretionary leave with pay, other than personal leave or
27 major medical leave.

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

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

42 (c) The appointing authority may grant administrative
43 leave with pay to any employee who is a certified disaster service
44 volunteer of the American Red Cross who participates in
45 specialized disaster relief services for the American Red Cross in
46 this state and in states contiguous to this state when the
47 American Red Cross requests the employee's participation.
48 Administrative leave granted under this paragraph shall not exceed



49 twenty (20) days in any twelve-month period. An employee on leave
50 under this paragraph shall not be deemed to be an employee of the
51 state for purposes of workers' compensation or for purposes of
52 claims against the state allowed under Chapter 46, Title 11,
53 Mississippi Code of 1972. As used in this paragraph, the term
54 "disaster" includes disasters designated at Level II and above in
55 American Red Cross national regulations and procedures.

56 (d) The appointing authority may grant administrative
57 leave with pay to an employee who is a qualified member in good
58 standing of the Mississippi Wing of the Civil Air Patrol who is
59 participating in an official operational Emergency Services
60 Mission for the Civil Air Patrol in this state or in a state
61 contiguous to this state when the Civil Air Patrol requests the
62 employee's participation. Administrative leave granted under this
63 paragraph may not exceed six (6) days in any six-month period. An
64 employee on leave under this paragraph is not deemed to be an
65 employee of the state for purposes of workers' compensation or for
66 purposes of claims against the state allowed under Chapter 46,
67 Title 11, Mississippi Code of 1972.

68 **SECTION 2.** (1) An employee of a public or private business
69 or industry, who is an active member of the Mississippi Wing of
70 the Civil Air Patrol, may be entitled, in the discretion of the
71 employee's employer, to a leave of absence from the employee's
72 respective duties, without loss of rank, pay, time, annual leave,
73 or efficiency rating, on all days during which the employee



74 participates in an official operational Emergency Services Mission
75 for the Civil Air Patrol in this state or in a state contiguous to
76 this state when the Civil Air Patrol requests the employee's
77 participation.

78 (2) An employee described under subsection (1) may be
79 entitled, in the discretion of the employee's employer, to a leave
80 of absence from the employee's respective duties without loss of
81 rank, pay, time, annual leave, or efficiency rating until relieved
82 from duty, at which time, the employee may be restored to the
83 position held when ordered to duty, or a position of like
84 seniority, status and pay, if the person:

85 (a) Remains qualified to perform the duties of the
86 position; and

87 (b) Makes application for re-employment within ninety
88 (90) days after that person is relieved from the emergency
89 services, for a period of not more than one (1) year for causes
90 attributable to those services.

91 **SECTION 3.** This act shall take effect and be in force from
92 and after July 1, 2023.

