

By: Senator(s) Michel

To: Insurance

SENATE BILL NO. 2615

1 AN ACT TO AMEND SECTIONS 25-15-3 AND 25-9-120, MISSISSIPPI
 2 CODE OF 1972, TO REVISE CERTAIN PROVISIONS TO AUTHORIZE CONTRACT
 3 PERSONNEL EMPLOYED BY THE STATE OR OTHER GOVERNMENT ENTITIES TO
 4 PURCHASE THE BASE PLAN OF THE STATE AND SCHOOL EMPLOYEES' HEALTH
 5 INSURANCE PLAN IF SUCH PERSON PAYS THE FULL PRICE OF SUCH PLAN
 6 WITHOUT CONTRIBUTION FROM THEIR EMPLOYER; TO REQUIRE SUCH
 7 GOVERNMENT ENTITIES TO OFFER THIS TO ANY CONTRACT PERSONNEL WHO
 8 WORK AT LEAST THIRTY HOURS IN A SEVEN DAY PERIOD; AND FOR RELATED
 9 PURPOSES.

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

11 **SECTION 1.** Section 25-15-3, Mississippi Code of 1972, is
 12 amended as follows:

13 25-15-3. For the purposes of this article, the words and
 14 phrases used herein shall have the following meanings:

15 (a) "Employee" means a person who works full time for
 16 the State of Mississippi and receives his compensation in a direct
 17 payment from a department, agency or institution of the state
 18 government and any person who works full time for any school
 19 district, community/junior college, public library or
 20 university-based program authorized under Section 37-23-31 for
 21 deaf, aphasic and emotionally disturbed children or any regular



22 nonstudent bus driver. This shall include legislators, employees
23 of the legislative branch and the judicial branch of the state and
24 "employees" shall include full-time salaried judges and full-time
25 district attorneys and their staff and full-time compulsory school
26 attendance officers. For the purposes of this article, any
27 "employee" making contributions to the State of Mississippi
28 retirement plan shall be considered a full-time employee. For
29 purposes of this article, "employee" shall not mean contract
30 personnel, whether classified as contract workers or independent
31 contractors.

32 (b) "Department" means the Department of Finance and
33 Administration.

34 (c) "Plan" means the State and School Employees Life
35 and Health Insurance Plan created under this article.

36 (d) "Fund" means the State and School Employees
37 Insurance Fund set up under this article.

38 (e) "Retiree" means any employee retired under the
39 Mississippi retirement plan.

40 (f) "Board" means the State and School Employees Health
41 Insurance Management Board created under Section 25-15-303.

42 **SECTION 2.** Section 25-9-120, Mississippi Code of 1972, is
43 amended as follows:

44 25-9-120. (1) Contract personnel, whether classified as
45 contract workers or independent contractors shall not be deemed
46 state service or nonstate service employees of the State of



47 Mississippi, and shall not be eligible to participate in the
48 Public Employees' Retirement System, * * * nor be allowed credit
49 for personal and sick leave and other leave benefits as employees
50 of the State of Mississippi, notwithstanding Sections 25-3-91
51 through 25-3-101; 25-9-101 through 25-9-151; 25-11-1 through
52 25-11-126; 25-11-128 through 25-11-131; 25-15-1 through 25-15-23
53 and for the purpose set forth herein. Contract workers, i.e.,
54 contract personnel who do not meet the criteria of independent
55 contractors, shall be subject to the provisions of Section
56 25-11-127. Contract personnel for any department, agency or
57 institution of the state government, any school district,
58 community/junior college, public library or university-based
59 program, whether classified as contract workers or independent
60 contractors, may purchase the base plan of the State and School
61 Employees' Health Insurance Plan provided that such person pays
62 the full price of such plan without contribution from their
63 employer. Such government entities shall offer the base plan to
64 any such personnel who work at least thirty (30) hours in a seven
65 (7) day period.

66 (2) The Personal Service Contract Review Board is abolished.
67 The Public Procurement Review Board shall be the Personal Service
68 Contract Review Board and shall retain all powers and duties
69 granted by law to the Personal Service Contract Review Board. All
70 equipment, inventories, records, personnel, resources and other
71 property, real or personal, tangible or intangible, of the



72 Personal Service Contract Review Board shall be transferred to the
73 Public Procurement Review Board as provided in Section 27-104-7.
74 The transfer of personnel shall be commensurate with the number
75 and classification of positions (PINS) allocated to the Personal
76 Service Contract Review Board on June 30, 2017. Wherever the
77 terms "Personal Service Contract Review Board" or "board," when
78 referring to the Personal Service Contract Review Board, appear in
79 any law, rule, regulation or document the same shall be construed
80 to mean the Public Procurement Review Board.

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

