

By: Senator(s) Michel

To: Insurance

SENATE BILL NO. 2615
(As Sent to Governor)

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 WORKERS 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 130 HOURS PER MONTH; AND FOR RELATED PURPOSES.

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

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

12 25-15-3. For the purposes of this article, the words and
13 phrases used herein shall have the following meanings:

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



22 of the legislative branch and the judicial branch of the state and
23 "employees" shall include full-time salaried judges and full-time
24 district attorneys and their staff and full-time compulsory school
25 attendance officers. For the purposes of this article, any
26 "employee" making contributions to the State of Mississippi
27 retirement plan shall be considered a full-time employee. For
28 purposes of this article, "employee" shall not mean contract
29 personnel.

30 (b) "Department" means the Department of Finance and
31 Administration.

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

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

36 (e) "Retiree" means any employee retired under the
37 Mississippi retirement plan.

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

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

42 25-9-120. (1) (a) Contract personnel, whether classified
43 as contract workers or independent contractors shall not be deemed
44 state service or nonstate service employees of the State of
45 Mississippi, and shall not be eligible to participate in the
46 Public Employees' Retirement System, * * * nor be allowed credit



47 for personal and sick leave and other leave benefits as employees
48 of the State of Mississippi, notwithstanding Sections 25-3-91
49 through 25-3-101; 25-9-101 through 25-9-151; 25-11-1 through
50 25-11-126; 25-11-128 through 25-11-131; 25-15-1 through 25-15-23
51 and for the purpose set forth herein. Contract workers, i.e.,
52 contract personnel who do not meet the criteria of independent
53 contractors, shall be subject to the provisions of Section
54 25-11-127.

55 (b) Contract workers for any department, agency or
56 institution of the state government, any school district,
57 community/junior college, public library or university-based
58 program, whether classified as contract workers or independent
59 contractors, may purchase the base plan of the State and School
60 Employees' Health Insurance Plan provided that such person pays
61 the full price of such plan without contribution from their
62 employer. Such government entities shall offer the base plan to
63 any such personnel who work at least one hundred thirty (130)
64 hours per month. The provisions of this paragraph (b) shall not
65 apply to independent contractors. The State and School Employees'
66 Health Insurance Management Board shall establish the premiums.

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



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

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

