

By: Representative Bennett

To: Education

HOUSE BILL NO. 1563

1 AN ACT TO AMEND SECTION 37-9-39, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE TIME THAT THE SALARIES OF LICENSED SCHOOL DISTRICT
3 EMPLOYEES SHALL BE PAID; TO PROVIDE THAT THE SALARY SHALL BE
4 PAYABLE IN EQUAL INSTALLMENTS ON A BASIS DETERMINED BY THE LOCAL
5 SCHOOL BOARD, BEGINNING IN THE FIRST MONTH THAT SUCH EMPLOYEES
6 PERFORM DUTIES DIRECTLY RELATED TO THE TERMS OF THE EMPLOYMENT
7 CONTRACT; AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** Section 37-9-39, Mississippi Code of 1972, is
10 amended as follows:

11 37-9-39. (1) All school districts shall process a single
12 monthly or a bimonthly payroll for employees, in the discretion of
13 the local school board, consistent with the provisions of Section
14 37-157-103(1), except for December, when salaries or wages shall
15 be paid by the last working day. Salaries or wages shall be paid
16 at a minimum on a monthly basis. The standard contract for school
17 district employees prescribed by the State Board of Education
18 shall provide that school district employees shall earn a salary
19 payable in equal * * * installments on a basis as determined by
20 the local school board of each school district, beginning in the



21 first month of employment that employees perform duties directly
22 related to the terms of their employment contract agreement,
23 regardless of the number of days worked in any particular month of
24 the contract term by the employee. Any employee failing to
25 complete the contractual obligation of service, and who receives
26 payment in excess of the installment for the period which such
27 employee ceases employment with the school district, shall become
28 liable immediately to the school board of the employing district
29 for the sum of all amounts received in payment less the
30 corresponding amount of any compensation paid for which service
31 has been rendered, plus interest accruing at the current Stafford
32 Loan rate at the time the person discontinues his or her service.

33 (2) Any school employee whose employment ends during a
34 school term, regardless of the reason(s) the employment ended,
35 shall be paid salary or wages only for that portion of the school
36 term that employee actually worked. Nothing in this subsection
37 (2) shall be construed to entitle any employee to payment of
38 salary or wages when no work has been performed.

39 **SECTION 2.** This act shall take effect and be in force from
40 and after July 1, 2024.

