

By: Representative Stringer

To: Fees and Salaries of
Public Officers

HOUSE BILL NO. 438

1 AN ACT TO PROVIDE THAT STATE EMPLOYEES WHO AUTHORIZE
 2 ANATOMICAL DONATIONS WILL RECEIVE ONE ADDITIONAL DAY OF PERSONAL
 3 LEAVE; TO PROVIDE THAT THE ANATOMICAL DONATION MUST BE AUTHORIZED
 4 UNDER THE ANATOMICAL GIFT LAW, AND THE AUTHORIZATION MUST BE
 5 PRESENTED TO THE STATE DEPARTMENT OF HEALTH FOR REGISTRATION; TO
 6 PROVIDE THAT THE STATE DEPARTMENT OF HEALTH WILL MAINTAIN A
 7 REGISTER OF THOSE EMPLOYEES WHO HAVE AUTHORIZED ANATOMICAL
 8 DONATIONS AND SEND THAT INFORMATION TO THE DEPARTMENT OF FINANCE
 9 AND ADMINISTRATION, WHICH WILL CREDIT THE EMPLOYEES WITH AN
 10 ADDITIONAL DAY OF PERSONAL LEAVE; TO AMEND SECTION 25-3-93,
 11 MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND
 12 FOR RELATED PURPOSES.

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

14 **SECTION 1.** (1) Any employee of the state, as defined in
 15 Section 25-3-91, shall receive one (1) day of personal leave in
 16 addition to the personal leave earned under Section 25-3-93, if
 17 the employee meets the conditions prescribed in this section.

18 (2) In order to receive the additional day of personal
 19 leave, the employee must authorize a donation of all or any part
 20 of his or her body in the manner prescribed in Section 41-39-39 or
 21 Section 41-39-53, and present that authorization to the State
 22 Department of Health for registration. The State Department of
 23 Health shall maintain a register of those employees who have
 24 authorized donations of all or any part of their bodies, and shall
 25 send a copy of that information to the Department of Finance and
 26 Administration on a regular basis. Upon receipt of that
 27 information about an employee from the State Department of Health,
 28 the Department of Finance and Administration shall credit the
 29 employee with one (1) additional day of personal leave, which is
 30 eight (8) hours of personal leave.



31 (3) The additional day of personal leave earned under this
32 section may be used or accumulated in the same manner as personal
33 leave earned under Section 25-3-93.

34 (4) An employee may earn an additional day of personal leave
35 under this section only one (1) time during the entire time the
36 person is employed by the state.

37 **SECTION 2.** Section 25-3-93, Mississippi Code of 1972, is
38 amended as follows:

39 25-3-93. (1) (a) Except as provided in subsection (1)(b),
40 all employees and appointed officers of the State of Mississippi,
41 who are employees as defined in Section 25-3-91, shall be allowed
42 credit for personal leave computed as follows:

43 Continuous	Accrual Rate	Accrual Rate
44 Service	(Monthly)	(Annually)
45 1 month to 3 years	12 hours per month	18 days per year
46 37 months to 8 years	14 hours per month	21 days per year
47 97 months to 15 years	16 hours per month	24 days per year
48 Over 15 years	18 hours per month	27 days per year

49 However, employees who were hired prior to July 1, 1984, who
50 have continuous service of more than five (5) years but not more
51 than eight (8) years shall accrue fifteen (15) hours of personal
52 leave each month.

53 (b) Temporary employees who work less than a full
54 workweek and part-time employees shall be allowed credit for
55 personal leave computed on a pro rata basis. Faculty members
56 employed by the eight (8) public universities on a nine-month
57 contract, temporary employees of the public universities who work
58 less than twenty (20) hours per week for a period of less than
59 five (5) months during a fiscal year, and recipients of full-time
60 educational leave, while on such leave, shall not be eligible for
61 personal leave.

62 (c) Employees who meet the conditions prescribed in
63 Section 1 of this act shall be allowed credit for one (1) day of



64 personal leave in addition to the personal leave earned under this
65 section.

66 (2) For the purpose of computing credit for personal leave,
67 each appointed officer or employee shall be considered to work not
68 more than five (5) days each week. Leaves of absence granted by
69 the appointing authority for one (1) year or less shall be
70 permitted without forfeiting previously accumulated continuous
71 service. The provisions of this section shall not apply to
72 military leaves of absence. The time for taking personal leave,
73 except when such leave is taken due to an illness, shall be
74 determined by the appointing authority of which such employees are
75 employed.

76 (3) For the purpose of Sections 25-3-91 through 25-3-99, the
77 earned personal leave of each employee shall be credited monthly
78 after the completion of each calendar month of service, and the
79 appointing authority shall not increase the amount of personal
80 leave to an employee's credit. It shall be unlawful for an
81 appointing authority to grant personal leave in an amount greater
82 than was earned and accumulated by the officer or employee.

83 (4) Employees are encouraged to use earned personal leave.
84 Personal leave may be used for vacations and personal business as
85 scheduled by the appointing authority and shall be used for
86 illnesses of the employee requiring absences of one (1) day or
87 less. Accrued personal or compensatory leave shall be used for
88 the first day of an employee's illness requiring his absence of
89 more than one (1) day. Accrued personal or compensatory leave may
90 also be used for an illness in the employee's immediate family as
91 defined in Section 25-3-95. There shall be no limit to the
92 accumulation of personal leave. Upon termination of employment
93 each employee shall be paid for not more than thirty (30) days of
94 accumulated personal leave. Unused personal leave in excess of
95 thirty (30) days shall be counted as creditable service for the



96 purposes of the retirement system as provided in Sections
97 25-11-103 and 25-13-5.

98 (5) Any officer of the Mississippi Highway Safety Patrol who
99 is injured by wound or accident in the line of duty shall not be
100 required to use earned personal leave during the period of
101 recovery from such injury.

102 (6) Any employee may donate a portion of his or her earned
103 personal leave to another employee who is suffering from a
104 catastrophic injury or illness, or to another employee who has a
105 member of his or her immediate family who is suffering from a
106 catastrophic injury or illness, in accordance with subsection (8)
107 of Section 25-3-95.

108 This subsection shall stand repealed from and after July 1,
109 2000.

110 **SECTION 3.** This act shall take effect and be in force from
111 and after July 1, 2003.

