

By: Representatives Bentz, Parker

To: Appropriations

HOUSE BILL NO. 1299

1 AN ACT TO AMEND SECTION 25-3-93; AND FOR RELATED PURPOSES.
2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

3 **SECTION 1.** Section 25-3-93, Mississippi Code of 1972, is
4 amended as follows:

5 25-3-93. (1) (a) Except as provided in subsection (1)(b),
6 all employees and appointed officers of the State of Mississippi,
7 who are employees as defined in Section 25-3-91, shall be allowed
8 credit for personal leave computed as follows:

9	Continuous	Accrual Rate	Accrual Rate
10	Service	(Monthly)	(Annually)
11	1 month to 3 years	12 hours per month	18 days per year
12	37 months to 8 years	14 hours per month	21 days per year
13	97 months to 15 years	16 hours per month	24 days per year
14	Over 15 years	18 hours per month	27 days per year

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

19 (b) Temporary employees who work less than a full
20 workweek and part-time employees shall be allowed credit for
21 personal leave computed on a pro rata basis. Faculty members
22 employed by the eight (8) public universities on a nine-month
23 contract, and employees of the public universities who do not
24 contribute to the Mississippi Public Employees' Retirement System
25 or the State Institutions of Higher Learning Optional Retirement
26 Program, shall not be eligible for personal leave.

27 (2) For the purpose of computing credit for personal leave,
28 each appointed officer or employee shall be considered to work not
29 more than five (5) days each week. Leaves of absence granted by
30 the appointing authority for one (1) year or less shall be
31 permitted without forfeiting previously accumulated continuous
32 service. The provisions of this section shall not apply to
33 military leaves of absence. The time for taking personal leave,
34 except when such leave is taken due to an illness, shall be
35 determined by the appointing authority of which such employees are
36 employed.

37 (3) For the purpose of Sections 25-3-91 through 25-3-99, the
38 earned personal leave of each employee shall be credited monthly
39 after the completion of each calendar month of service, and the
40 appointing authority shall not increase the amount of personal
41 leave to an employee's credit. It shall be unlawful for an
42 appointing authority to grant personal leave in an amount greater
43 than was earned and accumulated by the officer or employee.

44 (4) Employees are encouraged to use earned personal leave.
45 Personal leave may be used for vacations and personal business as
46 scheduled by the appointing authority and shall be used for
47 illnesses of the employee requiring absences of one (1) day or
48 less. Accrued personal or compensatory leave shall be used for
49 the first day of an employee's illness requiring his absence of
50 more than one (1) day. Accrued personal or compensatory leave may
51 also be used for an illness in the employee's immediate family as
52 defined in Section 25-3-95. There shall be no limit to the
53 accumulation of personal leave. Upon termination of employment
54 each employee shall be paid for not more than thirty (30) days of
55 accumulated personal leave. Unused personal leave in excess of
56 thirty (30) days shall be counted as creditable service for the
57 purposes of the retirement system as provided in Sections
58 25-11-103 and 25-13-5.

59 (5) Any officer of the Mississippi Highway Safety Patrol or
60 the Mississippi Department of Wildlife, Fisheries and Parks who is
61 injured by wound or accident in the line of duty shall not be
62 required to use earned personal leave during the period of
63 recovery from such injury.

64 (6) Any employee may donate a portion of his or her earned
65 personal leave to another employee who is suffering from a
66 catastrophic injury or illness, or to another employee who has a
67 member of his or her immediate family who is suffering from a
68 catastrophic injury or illness, in accordance with subsection (8)
69 of Section 25-3-95.

70 **SECTION 2.** This act shall take effect and be in force from
71 and after its passage.