

By: Representative Moak

To: Appropriations

HOUSE BILL NO. 124

1 AN ACT TO AMEND SECTION 1-1-11, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT THE OFFICE OF THE SUPERINTENDENT OF EACH PUBLIC
3 SCHOOL DISTRICT SHALL BE PROVIDED A SET OF THE MISSISSIPPI CODE;
4 AND FOR RELATED PURPOSES.

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

6 SECTION 1. Section 1-1-11, Mississippi Code of 1972, is
7 amended as follows:

8 1-1-11. (1) Except as provided in subsection (2) of this
9 section, the Joint Committee on Compilation, Revision and
10 Publication of Legislation shall distribute or provide for the
11 distribution of the sets of the compilation of the Mississippi
12 Code of 1972 purchased by the state as follows:

13 Fifty-six (56) sets to the Mississippi House of
14 Representatives and forty (40) sets to the Mississippi Senate for
15 the use of the Legislative Reference Bureau, Legislative Services
16 Offices, staffs and committees thereof.

17 Ten (10) sets to the Governor's Office; nine (9) sets to the
18 Secretary of State; and twenty (20) sets to the Auditor's Office.

19 One (1) set to each of the following: the Lieutenant
20 Governor; each member of the Legislature; the Treasurer; each
21 district attorney; each county attorney; each judge of the Court
22 of Appeals and each judge of the Supreme, circuit, chancery,
23 county, family, justice and municipal courts; each Mississippi
24 Senator and Mississippi Representative in Congress; State
25 Superintendent of Education; the office of the superintendent of
26 each public school district; Director of the Department of Finance
27 and Administration; six (6) sets to the Performance Evaluation and

28 Expenditure Review (PEER) Committee, two (2) sets to the Director
29 of the Legislative Budget Office; the Commissioner of Agriculture
30 and Commerce; each Mississippi Transportation Commissioner; six
31 (6) sets to the Department of Corrections; the Insurance
32 Commissioner; the Clerk of the Supreme Court; the State Board of
33 Health; each circuit clerk; each chancery clerk in the state for
34 the use of the chancery clerk and the board of supervisors; each
35 sheriff in the state for the use of his office and the county
36 officers; and each county for the county library (an additional
37 set for each of the last three (3) to be given in counties having
38 two (2) judicial districts).

39 Two (2) sets to the Department of Archives and History; two
40 (2) sets to the State Soil and Water Conservation Commission;
41 sixty-eight (68) sets to the Attorney General's Office; six (6)
42 sets to the Public Service Commission; four (4) sets to the Public
43 Utilities Staff; thirty-six (36) sets to the State Tax Commission;
44 two (2) sets to the State Personnel Board; six (6) sets to the
45 State Law Library; one (1) set to the Library of Congress; ten
46 (10) sets to the University of Mississippi Law School; one (1) set
47 each to the Mississippi School for the Deaf and the Mississippi
48 School for the Blind; one (1) set each to the University of
49 Mississippi, Mississippi State University, Mississippi University
50 for Women, University of Southern Mississippi, Delta State
51 University, Alcorn State University, Jackson State University,
52 Mississippi Valley State University, and the Board of Trustees of
53 State Institutions of Higher Learning; and one (1) set to the
54 Supreme Court judges' conference room. In furtherance of the
55 State Library's reciprocal program of code exchange with libraries
56 of the several states, the joint committee shall, at the direction
57 and only upon the written request of the State Librarian,
58 distribute or provide for the distribution of sets of the Code to
59 such libraries.

60 One (1) set to each state junior or community college; three
61 (3) sets to the Department of Wildlife, Fisheries and Parks; two
62 (2) sets to the Department of Environmental Quality; two (2) sets
63 to the Department of Marine Resources; and seven (7) sets to the
64 Department of Human Services. One (1) set to each of the

65 following: State Textbook Procurement Commission; University
66 Medical Center; State Library Commission; Department of
67 Agriculture and Commerce; Forestry Commission; and seventeen (17)
68 sets to the Department of Public Safety. Also, one (1) set to
69 each of the following: Adjutant General, Department of Economic
70 and Community Development, Department of Banking and Consumer
71 Finance, Bureau of Building, Grounds and Real Property Management,
72 the State Educational Finance Commission, the Mississippi Board of
73 Vocational and Technical Education, Division of Medicaid, State
74 Board of Mental Health, and Department of Youth Services.

75 The joint committee is authorized to distribute or provide
76 for the distribution of additional sets of the Mississippi Code,
77 not to exceed three (3) sets, to the office of each district
78 attorney for the use of his assistants.

79 The joint committee shall provide to the Mississippi House of
80 Representatives and the Mississippi Senate the annual supplements
81 to the Mississippi Code of 1972 for each set of the Code
82 maintained by the House and Senate.

83 The set of the Mississippi Code of 1972 to be provided to
84 each member of the Legislature shall be provided unless
85 specifically waived by such legislator in writing.

86 An elected or appointed officeholder in the State of
87 Mississippi, except for a member of the Legislature, shall deliver
88 to his successor in office, or to the joint committee if there is
89 no successor, the set of the Mississippi Code of 1972 provided the
90 officeholder under this section.

91 Before the joint committee delivers or provides for delivery
92 of a copy of the Mississippi Code of 1972 to an individual
93 officeholder, the joint committee shall prepare and submit a
94 written agreement to the officeholder. The agreement shall, among
95 other provisions, state that the Code is the property of the State
96 of Mississippi, that it shall be transferred to the officeholder's
97 successor in office, that the officeholder has an obligation to

98 make such transfer and that the officeholder shall be responsible
99 for the failure to deliver the Code and for any damage or
100 destruction to the Code, normal wear and tear excepted. The joint
101 committee shall execute the agreement and forward it to the
102 officeholder for execution. The joint committee shall not deliver
103 or provide for delivery of the Code to the officeholder until the
104 executed agreement is received by the committee. The joint
105 committee may include in the agreement such other provisions as it
106 may deem reasonable and necessary. In addition to damages or any
107 other remedy for not transferring a set of the Code to his
108 successor, an officeholder who does not transfer his set of the
109 Code shall be guilty of a misdemeanor and shall, upon conviction,
110 pay a fine of One Thousand Dollars (\$1,000.00). Upon request of
111 the joint committee, the Attorney General shall assist the joint
112 committee in taking such actions as necessary to require an
113 officeholder to transfer the set of Code provided under this
114 section to his successor, or to the joint committee if there is no
115 successor, and to recover reimbursement or damages from any
116 officeholder for the loss of or damage or destruction to any
117 volumes of the set of the Code provided under this section, other
118 than normal wear and tear.

119 Replacement of missing, damaged or destroyed sets or volumes
120 of the Code provided by this chapter may be obtained from the Code
121 publisher through the joint committee at the established state
122 cost, the cost to be borne by the recipient.

123 No more than one (1) set of the Mississippi Code of 1972
124 shall be furnished to any one (1) individual, regardless of the
125 office or offices he may hold.

126 (2) The joint committee, in its discretion, may determine
127 whether electronic access to the Mississippi Code of 1972 is
128 available and a sufficient substitute for actual bound volumes of
129 the code and, if so, may omit furnishing any one or more sets
130 otherwise required by this section.

131 SECTION 2. This act shall take effect and be in force from
132 and after July 1, 1999.