

By: Representative Smith (39th)

To: Appropriations

## HOUSE BILL NO. 681

1 AN ACT TO AMEND SECTION 1-1-11, MISSISSIPPI CODE OF 1972, TO  
2 PROVIDE A SET OF THE MISSISSIPPI CODE FOR CERTAIN PARALEGAL  
3 PROGRAMS; AND FOR RELATED PURPOSES.

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

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

7 1-1-11. (1) Except as provided in subsection (2) of this  
8 section, the Joint Committee on Compilation, Revision and  
9 Publication of Legislation shall distribute or provide for the  
10 distribution of the sets of the compilation of the Mississippi  
11 Code of 1972 purchased by the state as follows:

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

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

18 One (1) set to each of the following: the Lieutenant  
19 Governor; each member of the Legislature; the Treasurer; each  
20 district attorney; each county attorney; each judge of the Court  
21 of Appeals and each judge of the Supreme, circuit, chancery,  
22 county, family, justice and municipal courts; each Mississippi  
23 Senator and Mississippi Representative in Congress; State  
24 Superintendent of Education; Director of the Department of Finance  
25 and Administration; six (6) sets to the Performance Evaluation and  
26 Expenditure Review (PEER) Committee, two (2) sets to the Director

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

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