

By: Senator(s) Dearing

To: Fees, Salaries and
Administration

SENATE BILL NO. 2242

1 AN ACT TO AMEND SECTION 1-1-11, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE A SET OF THE MISSISSIPPI CODE OF 1972 TO EACH LOCAL
3 SUPERINTENDENT OF SCHOOLS, AS WELL AS EACH SCHOOL DISTRICT BOARD
4 ATTORNEY AND BOARD PRESIDENT; 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; Director of the Department of Finance
26 and Administration; six (6) sets to the Performance Evaluation and
27 Expenditure Review (PEER) Committee, two (2) sets to the Director

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

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

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

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

74 Three (3) sets to each school district for the use of the
75 superintendent of schools, the school board attorney and the
76 school board president of each such district.

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

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

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

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

93 Before the joint committee delivers or provides for delivery
94 of a copy of the Mississippi Code of 1972 to an individual
95 officeholder, the joint committee shall prepare and submit a
96 written agreement to the officeholder. The agreement shall, among
97 other provisions, state that the Code is the property of the State

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

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

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

128 (2) The joint committee, in its discretion, may determine
129 whether electronic access to the Mississippi Code of 1972 is
130 available and a sufficient substitute for actual bound volumes of

131 the Code and, if so, may omit furnishing any one or more sets
132 otherwise required by this section.

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