

**\*\*\*Pending\*\*\***

**AMENDMENT No. 1 PROPOSED TO**

**House Bill NO. 1130**

**By Senator(s) Committee**

1           **AMEND by deleting lines 131 and 132 and inserting in lieu**  
2 **thereof the following:**

3           SECTION 2. (1) The Mississippi Code of 1972 Annotated, as  
4 amended, modified and revised from time to time, that is published  
5 by the company with which the Joint Legislative Committee on  
6 Compilation, Revision and Publication of Legislation has  
7 contracted under Section 1-1-107(a):

8           (a) Is the official code of the public statute laws of  
9 the State of Mississippi that are enacted by the Legislature; and

10           (b) Shall be used, received, recognized and referred to  
11 as the official code of the public statute laws of the State of  
12 Mississippi, and shall be considered as evidence of the public  
13 statute laws of the State of Mississippi, in all courts of the  
14 state and by all public officers, offices, departments and  
15 agencies of the state and its political subdivisions, and in all  
16 other places or instances where the public statute laws of the  
17 state may come into question. However, if there is any conflict  
18 between the language of any statute as it appears in the  
19 Mississippi Code of 1972 Annotated and in the General Laws of  
20 Mississippi, the language in the General Laws shall control; and  
21 if there is any conflict between the language of any statute as it  
22 appears in the General Laws of Mississippi and in the original  
23 enrolled bills enacted by the Legislature, the language in the

24 enrolled bills shall control.

25 (2) No publisher of a code of the public statute laws of the  
26 State of Mississippi, other than the publishing company with which  
27 the Joint Legislative Committee on Compilation, Revision and  
28 Publication of Legislation has contracted under Section  
29 1-1-107(a), shall be authorized to use as the name, title or  
30 designation of the code that is published, the words "Mississippi  
31 Code of 1972," "Mississippi Code 1972," "Mississippi Code of 1972  
32 Annotated," "Mississippi Code 1972 Annotated," "Annotated  
33 Mississippi Code of 1972," "Annotated Mississippi Code 1972," or  
34 any other combination of words containing "Code of 1972," "Code  
35 1972" or "1972 Code." The joint committee may seek injunctive  
36 relief, or authorize the publisher of the official code to seek  
37 injunctive relief on behalf of the joint committee, against any  
38 person or entity to enforce the provisions of this subsection.

39 SECTION 3. Section 1-1-15, Mississippi Code of 1972, which  
40 provides that the Mississippi Code shall be recognized as the  
41 statute laws of the state, is repealed.

42 SECTION 4. Section 1-1-33, Mississippi Code of 1972, is  
43 amended as follows:

44 1-1-33. Where any officer has received a set of the  
45 Mississippi Code of 1972 by virtue of his office and is required  
46 by law to deliver it to his successor in office, and the officer  
47 fails to deliver it to his successor, the successor may make  
48 application to the Joint Legislative Committee on Compilation,  
49 Revision and Publication of Legislation, in writing, setting forth  
50 that fact, and the joint committee, if satisfied of the  
51 truthfulness of the application, may issue to the applicant a set  
52 of the Mississippi Code of 1972. The joint committee may consider  
53 any official application for a set of the Mississippi Code of  
54 1972, and if the facts warrant furnishing a code or codes as  
55 applied for, it shall be furnished to the applicant.

56 SECTION 5. Section 1 of this act shall take effect and be in

57 force from and after July 1, 1999. Sections 2, 3 and 4 of this  
58 act shall take effect and be in force from and after the passage  
59 of this act.

60 **FURTHER, amend the title by inserting the following after the**  
61 **semicolon on line 3:**

62 TO PROVIDE THAT THE MISSISSIPPI CODE OF 1972 ANNOTATED THAT IS  
63 PUBLISHED BY THE COMPANY WITH WHICH THE JOINT LEGISLATIVE  
64 COMMITTEE ON COMPILATION, REVISION AND PUBLICATION OF LEGISLATION  
65 HAS CONTRACTED IS THE OFFICIAL CODE OF THE PUBLIC STATUTE LAWS OF  
66 THE STATE, AND SHALL BE RECOGNIZED AS THE OFFICIAL CODE AND  
67 CONSIDERED AS EVIDENCE OF THE PUBLIC STATUTE LAWS OF THE STATE IN  
68 ALL STATE COURTS AND BY ALL PUBLIC OFFICERS AND AGENCIES; TO  
69 PROHIBIT ANY PUBLISHER OF A CODE OF THE PUBLIC STATUTE LAWS OF THE  
70 STATE, OTHER THAN THE PUBLISHER OF THE OFFICIAL CODE, FROM USING  
71 CERTAIN WORDS AS THE NAME OR TITLE OF THE CODE THAT IS PUBLISHED;  
72 TO REPEAL SECTION 1-1-15, MISSISSIPPI CODE OF 1972, IN CONFORMITY  
73 TO THE PRECEDING PROVISIONS; TO AMEND SECTION 1-1-33, MISSISSIPPI  
74 CODE OF 1972, IN CONFORMITY TO SECTION 1-1-11, MISSISSIPPI CODE OF  
75 1972;