

By: Holland

To: Appropriations

HOUSE BILL NO. 183

1 AN ACT TO AMEND SECTION 1-1-11, MISSISSIPPI CODE OF 1972, TO  
2 PROVIDE THAT ONE SET OF THE MISSISSIPPI CODE OF 1972 SHALL BE  
3 PROVIDED TO EACH MUNICIPAL CLERK FOR THE USE OF THE MUNICIPAL  
4 CLERK AND OTHER MUNICIPAL OFFICIALS; 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:[JU1]

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; \* \* \* 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); and each municipal clerk for the use  
38 of the municipal clerk and other municipal officials.

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; four (4) sets to the State  
64 Department of Rehabilitation Services; and seven (7) sets to the  
65 Department of Human Services. One (1) set to each of the  
66 following: State Textbook Procurement Commission; University  
67 Medical Center; State Library Commission; Department of  
68 Agriculture and Commerce; Forestry Commission; and seventeen (17)  
69 sets to the Department of Public Safety. Also, one (1) set to  
70 each of the following: Adjutant General, Department of Economic  
71 and Community Development, Department of Banking and Consumer  
72 Finance, Bureau of Building, Grounds and Real Property Management,  
73 the State Educational Finance Commission, the Mississippi Board of  
74 Vocational and Technical Education, Division of Medicaid, State  
75 Board of Mental Health, and Department of Youth Services.

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

80 The joint committee shall provide to the Mississippi House of  
81 Representatives and the Mississippi Senate the annual supplements

82 to the Mississippi Code of 1972 for each set of the code  
83 maintained by the House and Senate.

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

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

92 Before the joint committee delivers or provides for delivery  
93 of a copy of the Mississippi Code of 1972 to an individual  
94 officeholder, the joint committee shall prepare and submit a  
95 written agreement to the officeholder. The agreement shall, among  
96 other provisions, state that the code is the property of the State  
97 of Mississippi, that it shall be transferred to the officeholder's  
98 successor in office, that the officeholder has an obligation to  
99 make such transfer and that the officeholder shall be responsible  
100 for the failure to deliver the code and for any damage or  
101 destruction to the code, normal wear and tear excepted. The joint  
102 committee shall execute the agreement and forward it to the  
103 officeholder for execution. The joint committee shall not deliver  
104 or provide for delivery of the code to the officeholder until the  
105 executed agreement is received by the committee. The joint  
106 committee may include in the agreement such other provisions as it  
107 may deem reasonable and necessary. In addition to damages or any  
108 other remedy for not transferring a set of the code to his  
109 successor, an officeholder who does not transfer his set of the

110 code shall be guilty of a misdemeanor and shall, upon conviction,  
111 pay a fine of One Thousand Dollars (\$1,000.00). Upon request of  
112 the joint committee, the Attorney General shall assist the joint  
113 committee in taking such actions as necessary to require an  
114 officeholder to transfer the set of code provided under this  
115 section to his successor, or to the joint committee if there is no  
116 successor, and to recover reimbursement or damages from any  
117 officeholder for the loss of or damage or destruction to any  
118 volumes of the set of the code provided under this section, other  
119 than normal wear and tear.

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

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

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

132 SECTION 2. This act shall take effect and be in force from  
133 and after July 1, 2000.