

By: Ford

To: Appropriations

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 466

1 AN ACT TO AMEND SECTION 1-1-11, MISSISSIPPI CODE OF 1972, TO
2 _PROVIDE THAT THE MISSISSIPPI ETHICS COMMISSION SHALL BE PROVIDED
3 WITH TWO SETS OF THE MISSISSIPPI CODE; TO INCREASE THE NUMBER OF
4 SETS OF THE CODE TO BE PROVIDED TO THE HOUSE OF REPRESENTATIVES;
5 TO CLARIFY WHICH COUNTY OFFICES WILL RECEIVE ADDITIONAL SETS OF
6 THE CODE IN COUNTIES HAVING TWO JUDICIAL DISTRICTS; AND FOR
7 RELATED PURPOSES.

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

9 SECTION 1. Section 1-1-11, Mississippi Code of 1972, is
10 amended as follows:[RF1]

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

16 Fifty-seven (57) sets to the Mississippi House of
17 Representatives and forty (40) sets to the Mississippi Senate for
18 the use of the Legislative Reference Bureau, Legislative Services
19 Offices, staffs and committees thereof.

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

22 One (1) set to each of the following: the Lieutenant
23 Governor; each member of the Legislature; the Treasurer; each
24 district attorney; each county attorney; each judge of the Court
25 of Appeals and each judge of the Supreme, circuit, chancery,
26 county, family, justice and municipal courts; each Mississippi
27 Senator and Mississippi Representative in Congress; State
28 Superintendent of Education; Director of the Department of Finance
29 and Administration; six (6) sets to the Performance Evaluation and
30 Expenditure Review (PEER) Committee, two (2) sets to the Director
31 of the Legislative Budget Office; the Commissioner of Agriculture
32 and Commerce; each Mississippi Transportation Commissioner; six
33 (6) sets to the Department of Corrections; the Insurance
34 Commissioner; the Clerk of the Supreme Court; the State Board of
35 Health; each circuit clerk; each chancery clerk in the state for
36 the use of the chancery clerk and the board of supervisors; each
37 sheriff in the state for the use of his office and the county
38 officers; and each county for the county library (and an
39 additional set shall be given to each circuit clerk, chancery
40 clerk, sheriff and county library in counties having two (2)
41 judicial districts).

42 Two (2) sets to the Department of Archives and History; two
43 (2) sets to the State Soil and Water Conservation Commission;
44 sixty-eight (68) sets to the Attorney General's Office; six (6)
45 sets to the Public Service Commission; four (4) sets to the Public
46 Utilities Staff; thirty-six (36) sets to the State Tax Commission;
47 two (2) sets to the State Personnel Board; six (6) sets to the
48 State Law Library; one (1) set to the Library of Congress; ten

49 (10) sets to the University of Mississippi Law School; one (1) set
50 each to the Mississippi School for the Deaf and the Mississippi
51 School for the Blind; one (1) set each to the University of
52 Mississippi, Mississippi State University, Mississippi University
53 for Women, University of Southern Mississippi, Delta State
54 University, Alcorn State University, Jackson State University,
55 Mississippi Valley State University, and the Board of Trustees of
56 State Institutions of Higher Learning; and one (1) set to the
57 Supreme Court judges' conference room. In furtherance of the
58 State Library's reciprocal program of code exchange with libraries
59 of the several states, the joint committee shall, at the direction
60 and only upon the written request of the State Librarian,
61 distribute or provide for the distribution of sets of the code to
62 such libraries.

63 One (1) set to each state junior or community college; three
64 (3) sets to the Department of Wildlife, Fisheries and Parks; two
65 (2) sets to the Department of Environmental Quality; two (2) sets
66 to the Department of Marine Resources; two (2) sets to the
67 Mississippi Ethics Commission; four (4) sets to the State
68 Department of Rehabilitation Services; and seven (7) sets to the
69 Department of Human Services. One (1) set to each of the
70 following: State Textbook Procurement Commission; University
71 Medical Center; State Library Commission; Department of
72 Agriculture and Commerce; Forestry Commission; and seventeen (17)
73 sets to the Department of Public Safety. Also, one (1) set to
74 each of the following: Adjutant General, Department of Economic
75 and Community Development, Department of Banking and Consumer
76 Finance, Bureau of Building, Grounds and Real Property Management,
77 the State Educational Finance Commission, the Mississippi Board of
78 Vocational and Technical Education, Division of Medicaid, State
79 Board of Mental Health, and Department of Youth Services.

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

84 The joint committee shall provide to the Mississippi House of
85 Representatives and the Mississippi Senate the annual supplements
86 to the Mississippi Code of 1972 for each set of the code
87 maintained by the House and Senate.

88 The set of the Mississippi Code of 1972 to be provided to
89 each member of the Legislature shall be provided unless
90 specifically waived by such legislator in writing.

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

96 Before the joint committee delivers or provides for delivery
97 of a copy of the Mississippi Code of 1972 to an individual
98 officeholder, the joint committee shall prepare and submit a
99 written agreement to the officeholder. The agreement shall, among
100 other provisions, state that the code is the property of the State
101 of Mississippi, that it shall be transferred to the officeholder's
102 successor in office, that the officeholder has an obligation to
103 make such transfer and that the officeholder shall be responsible
104 for the failure to deliver the code and for any damage or
105 destruction to the code, normal wear and tear excepted. The joint
106 committee shall execute the agreement and forward it to the
107 officeholder for execution. The joint committee shall not deliver
108 or provide for delivery of the code to the officeholder until the
109 executed agreement is received by the committee. The joint
110 committee may include in the agreement such other provisions as it
111 may deem reasonable and necessary. In addition to damages or any
112 other remedy for not transferring a set of the code to his
113 successor, an officeholder who does not transfer his set of the
114 code shall be guilty of a misdemeanor and shall, upon conviction,
115 pay a fine of One Thousand Dollars (\$1,000.00). Upon request of
116 the joint committee, the Attorney General shall assist the joint
117 committee in taking such actions as necessary to require an
118 officeholder to transfer the set of code provided under this
119 section to his successor, or to the joint committee if there is no
120 successor, and to recover reimbursement or damages from any
121 officeholder for the loss of or damage or destruction to any

122 volumes of the set of the code provided under this section, other
123 than normal wear and tear.

124 Replacement of missing, damaged or destroyed sets or volumes
125 of the code provided by this chapter may be obtained from the code
126 publisher through the joint committee at the established state
127 cost, the cost to be borne by the recipient.

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

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

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