

By: Dearing

To: Fees, Salaries and
Administration

SENATE BILL NO. 2232

1 AN ACT TO AMEND SECTION 1-1-11, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT THE OFFICE OF THE SUPERINTENDENT OF EACH PUBLIC
3 SCHOOL DISTRICT AND THE SCHOOL BOARD ATTORNEY OF EACH PUBLIC
4 SCHOOL DISTRICT SHALL BE PROVIDED A SET OF THE MISSISSIPPI CODE;
5 AND FOR RELATED PURPOSES.

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

7 SECTION 1. Section 1-1-11, Mississippi Code of 1972, is
8 amended as follows:[%CN%1]

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

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

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

20 One (1) set to each of the following: the Lieutenant
21 Governor; each member of the Legislature; the Treasurer; each
22 district attorney; each county attorney; each judge of the Court

23 of Appeals and each judge of the Supreme, circuit, chancery,
24 county, family, justice and municipal courts; each Mississippi
25 Senator and Mississippi Representative in Congress; State
26 Superintendent of Education; the office of the superintendent of
27 schools of each public school district; the school board attorney
28 of each public school district; Director of the Department of
29 Finance and Administration; six (6) sets to the Performance
30 Evaluation and Expenditure Review (PEER) Committee, two (2) sets
31 to the Director of the Legislative Budget Office; the Commissioner
32 of Agriculture and Commerce; each Mississippi Transportation
33 Commissioner; six (6) sets to the Department of Corrections; the
34 Insurance Commissioner; the Clerk of the Supreme Court; the State
35 Board of Health; each circuit clerk; each chancery clerk in the
36 state for the use of the chancery clerk and the board of
37 supervisors; each sheriff in the state for the use of his office
38 and the county officers; and each county for the county library
39 (an additional set for each of the last three (3) to be given in
40 counties having two (2) judicial districts).

41 Two (2) sets to the Department of Archives and History; two
42 (2) sets to the State Soil and Water Conservation Commission;
43 sixty-eight (68) sets to the Attorney General's Office; six (6)
44 sets to the Public Service Commission; four (4) sets to the Public
45 Utilities Staff; thirty-six (36) sets to the State Tax Commission;
46 two (2) sets to the State Personnel Board; six (6) sets to the
47 State Law Library; one (1) set to the Library of Congress; ten
48 (10) sets to the University of Mississippi Law School; one (1) set
49 each to the Mississippi School for the Deaf and the Mississippi
50 School for the Blind; one (1) set each to the University of
51 Mississippi, Mississippi State University, Mississippi University
52 for Women, University of Southern Mississippi, Delta State
53 University, Alcorn State University, Jackson State University,

54 Mississippi Valley State University, and the Board of Trustees of
55 State Institutions of Higher Learning; and one (1) set to the
56 Supreme Court judges' conference room. In furtherance of the
57 State Library's reciprocal program of code exchange with libraries
58 of the several states, the joint committee shall, at the direction
59 and only upon the written request of the State Librarian,
60 distribute or provide for the distribution of sets of the code to
61 such libraries.

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

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

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

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

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

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

110 other remedy for not transferring a set of the code to his
111 successor, an officeholder who does not transfer his set of the
112 code shall be guilty of a misdemeanor and shall, upon conviction,
113 pay a fine of One Thousand Dollars (\$1,000.00). Upon request of
114 the joint committee, the Attorney General shall assist the joint
115 committee in taking such actions as necessary to require an
116 officeholder to transfer the set of code provided under this
117 section to his successor, or to the joint committee if there is no
118 successor, and to recover reimbursement or damages from any
119 officeholder for the loss of or damage or destruction to any
120 volumes of the set of the code provided under this section, other
121 than normal wear and tear.

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

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

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

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